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JANUARY 1986 A MONTHLY REVIEW EDITED BY R. EMMETT TYRRELL, JR.

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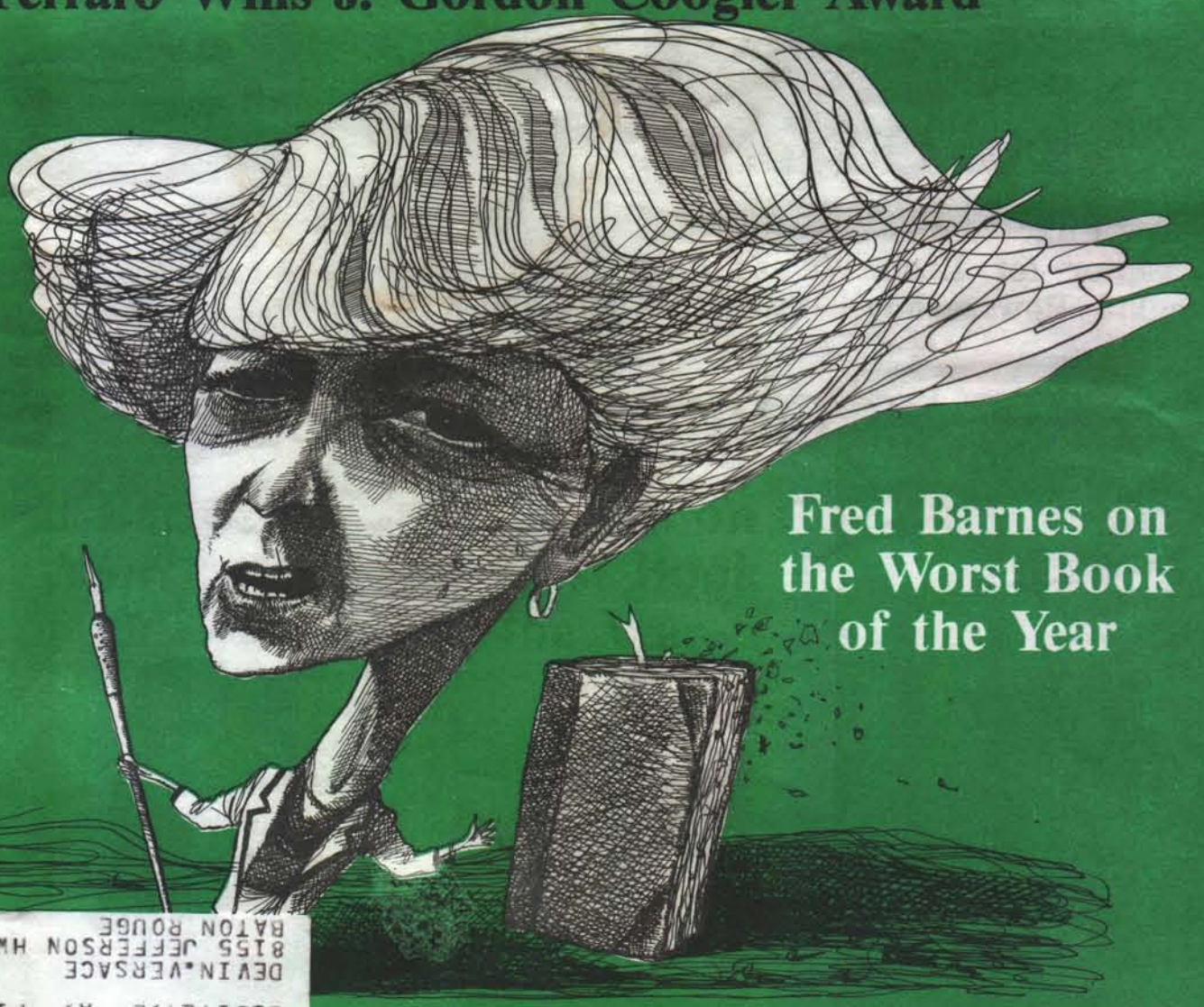

Fred Barnes on the Worst Book of the Year

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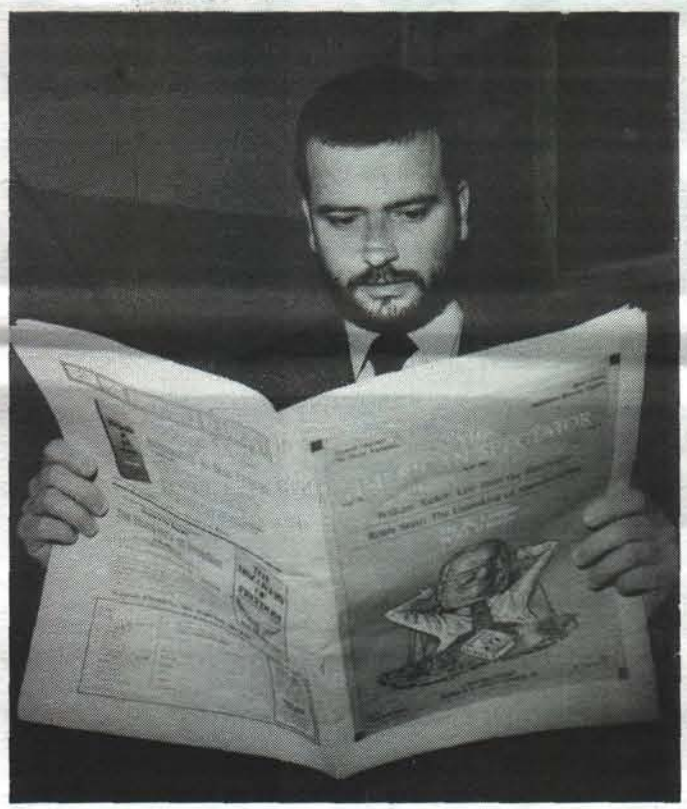

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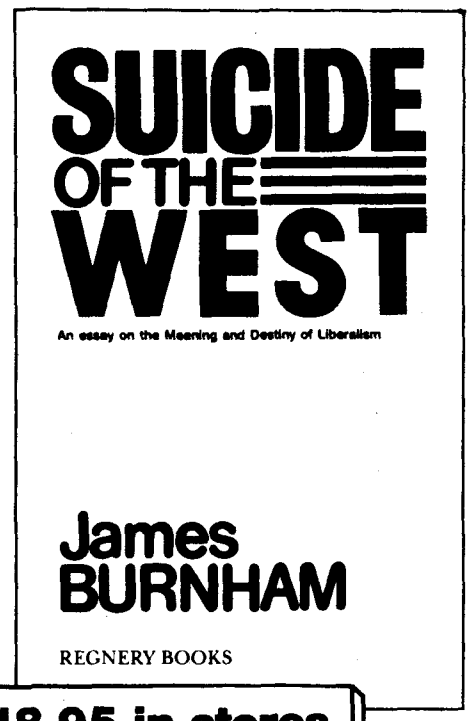

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THE CONTINUING CRISIS

•November, and autumn folds into remorseless winter. *Ciao* to summertime hopes and autumnal reveries. For some the change is bracing, and for others of delicate disposition it is a cruel jolt. Yet even the wimps should have found November thrilling. There was summit-mania and all its concomitant flummery. There was defection-mania. There was a glorious stock market rally, and the government of the United States almost went broke, putting donkey ears and a tail on those *carpe diem* economists of yore whose maxim was "We owe it to ourselves." Then there was that great moral drama provided by the bar panel of New York's First Judicial Department, composed from top to bottom of moral colossi, intellectual giants, career reformers, the kind of horses' asses who brag of their decency and compassion.

•Months ago this fabulous collection of Manhattanite Robespierres revived against Mr. Roy M. Cohn a congeries of charges, which had lain dormant for years. Mr. Cohn is the lawyer who once assisted the legendary Senator Joseph McCarthy along with the likes of Mr. Robert F. Kennedy. Unlike Mr. Kennedy, however, Mr. Cohn never made a timely left-turn when anti-Americanism replaced anti-Communism as the cheap act of the upwardly-aspiring. Worse, Mr. Cohn remains an anomaly among Manhattan's elite, a patriot ardent to praise America even over apéritifs. Now he has liver cancer, and his pursuers anguish over the possibility that this cancer, once their ally for having weakened him, may become their enemy by killing him before he can be dragged into court. They grouse that the Appellate Division of the New York Supreme Court has given Mr. Cohn until January to rebut their case. Such an extension might "effectively nullify the entire procedure," squawks Mr. Michael Gentile, the panel's chief counsel. That is to say, he fears the crafty Mr. Cohn's precipitous death. If Mr. Cohn does die, his friends will be wise to bury him securely lest the ghouls who pursue him snatch his body. Actually, Mr. Cohn has already triumphed by displaying nobility in affliction and exposing the smallness of his sanctimonious enemies, goody-goodies who manifest anew the old truth that nothing is more corrosive to goodness than a surfeit of virtue easily procured.

•Early in the month Mr. Vitaly S. Yurchenko, the highly prized KGB defector, shook free from a CIA "handler," who apparently was force-feeding him at Au Pied de Cochon in Georgetown, and vamoosed to the nearby Soviet Embassy. There he narrated a shocking tale of CIA skullduggery. Kremlinologists of the Samantha Smith school thought of the impending summit and their bosoms caught fire, but for Admiral Stansfield Turner the episode must have evoked a festival in the heart. Forget not that Admiral Turner, as Jimmy Carter's CIA director, anguished over reports that the pre-Carter CIA was wont to incarcerate KGB defectors and to treat their persons rudely. Admiral Turner fumigated the place, and now the improved CIA takes KGB agents to continental restaurants and does not complain when they skip out on the bill! Former Senator Harrison Williams, Democrat of New Jersey, was transferred from prison to a halfway house, his prison term on an Abscam bribery conviction being almost finished. And in Spain, indigenous feminists held a national convention to protest that country's harsh abortion laws. Three thousand of the benevolent gals turned out to applaud as two of their number underwent abortions off stage to protest the status quo. Then two fetuses were produced to the assembled humanitarians and the applause grew rabid.

•In Moscow, the first Soviet Communist Party program in twenty-four years made an unusually somber appearance, such programs having heretofore been abundant with hope and economic flapdoodle. The present program places utopia many years down the road and acknowledges that the route to it will be "uneven, complex and controversial"—that is to say, not unlike the route to prosperity laid out by Mr. Walter Mondale in his heroic 1984 presidential campaign. Mr. Stuart Chase, coiner of the phrase "New Deal," died, as did the Chicken Wing Lady of Buffalo, New York. The Lady, Mrs. Teressa Bellissimo, died as she had lived, inhaling the pungent vapors of her world-famous chicken wings somewhere in the vast confines of her Anchor Bar and Restaurant, an alimentary palace founded in 1940 by her and her late husband. Mr. Barry Allen, 19, pleased the *New York Post* when he became the third of Mr. Bernhard Goetz's youthful victims to be jugged for felonious misadventure. Mr. Allen's alleged *faux pas* was robbery. Senator Edward Kennedy has announced that he will seek the presidency in 1988 come hell or high water; high water has been his problem in the past. And women laboring in San Francisco's Hall of Justice are increasingly uncomfortable in that building's ladies' rooms, which are also being used by a male probation officer awaiting a sex-change operation. The gals should get over their worries, however, once the probation officer is beautified by modern medical science.

•In New York State, the popularity of high school wrestling skyrocketed when the State Board of Regents voted to allow girls to compete with boys in what had heretofore been considered contact sports. The United Nations celebrated its Fortieth Anniversary in orgies that delighted every anarchist on the globe. Never before had so many heads of state gathered in one place, nor so many limousines and security men. Most celebrated of all the global worthies' public acts was the purchase by the Sandinista royals, Mr. and Mrs. Daniel Ortega, of twelve pairs of designer eyeglasses for $3,500!

•While on the subject of royals, British intelligence activated agents throughout the Republic's communications networks to boom the arrival of the Prince of Wales and his blonde wife. The Royal couple performed flawlessly and accomplished their mission on November 10, when the Prince enunciated a carefully crafted propaganda message, asserting that "King George II had a bit of a raw deal in history. . . . I think slowly but surely people are realizing he wasn't such an ogre as they made out." Actually, the King was a nitwit. He played the harpsichord despite doctor's orders and at a time when urban life could be deafening, what with horse-drawn vehicles clattering along cobbled streets and every gentleman's powdered wig evoking fortissimos from his wife's prodigious beak. No one in our heavily infiltrated media refuted the Prince's nonsense. MI-6 has its agents everywhere, perhaps even at *The American Spectator* where the undisguisedly British accents of Tom Bethell and John O'Sullivan are beginning to raise eyebrows.

•The homosexual community still struggles against what has become a dreadful public relations problem, AIDS. The Betty Friedans of the movement warn against what they call unsafe sex, that is: sexual congress that allows "the exchange of bodily fluids." But what is so unsafe about that? Every living human is the consequence of such an act. Perhaps the homosexuals are trying to ingratiate themselves to Planned Parenthood, Inc. and the wowsers of sex education. During November they suddenly were faced with hostility from the Screen Actors Guild, which has pronounced that actors must be allowed to treat kissing scenes as they would dangerous stunts and nude scenes. If an actor or actress suspects he or she is about to be embraced by a poofter, the scene can be nixed. Alternately, it is possible that a homosexual rights group could devise a prophylactic for the tongue, thus bringing the era of safe sex ever closer.

•On November 22 the Ingersoll Prizes were awarded to Mr. Eugene Ionesco for creative writing and to Professor Robert Nisbet for scholarly letters, some of which over the years appeared in these pages. Miss Geraldine Ferraro has copped the 1985 J. Gordon Coogler Award for the Worst Book of the Year despite the imbecilic efforts of Mr. Richard Reeves, author of *The Reagan Detour*, and Miss Priscilla Beaulieu Presley, author of *Elvis and Me*. Miss Ferraro's swell book is *Ferraro: My Story*, and in it one will discover that kapitalist, misogynist America was at once thrilled by her and out to do her in. Washington, D.C.'s General Nutrition Center was closed for a day due to severe mouse infestation, and Ronald Reagan returned from his Geneva summit with his reputation as a charmer intact. —*RET*

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THE AMERICAN SPECTATOR

Volume 19 Number 1, January 1986

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CORRESPONDENCE

Save Now

I was surprised to see in the October issue of *The American Spectator*, an ad for the English translation of the Soviet propaganda sheet, *Pravda*.

Why pay $630.00 per year for *Pravda*, when one can purchase a subscription to the *Washington Post* for a fraction of the cost?

—Kathleen J. Crifasi
Lanham, Maryland

Sex Wars

Ben Stein is, as always, both funny and pointed in his piece on Hollywood doings in the November book ("The New War Between Men and Women," by Benjamin J. Stein, *TAS*, November 1985). But will someone there please remind brother Stein that it is not America he's talking about ("in today's America there is only time to take, and to get taken . . . "); it is Hollywood, and it is typical only of itself.

It is great sport, and perhaps even a public service, to number and label and describe these exotic fowl and point out a couple of bubbles off plumb. But it is all futility and folly to attribute their shortcomings and eccentricities to "the momentum of America today" or "the frantic pace of life in get-rich-quick America." The thing that gives these rare fauna their case of the crazies is Smogville itself. As one who escaped from it four years ago and had to go through a sea change to adjust to normal people again I know whereof I speak. If brother Stein visits this unoffending hamlet, for instance, he will find that his assumptions don't fit, his responses don't work, and his view of Hollywood as a microcosm of anything but itself is the purest moonshine. And if he stays longer than the weekend he may find that the prospect of returning, for any reason including Hollywood easy money, is a frightening thing indeed. He may defect, and ask for asylum. He will of course be welcome.

—George Warren
Pacific Grove, California

I like Ben Stein. I live in Los Angeles and read his column every Monday in the *Herald-Examiner*. More often than not, I thoroughly enjoy it. But Ben has a problem. He works, or is trying to work, in the movies. Therefore he spends a lot of his time with agents, producers, and their hangers-on. People, he cheerfully admits, who can often be the slime of the earth. But these seem to be the *only* people who Ben talks to.

I can assure him that there are millions of people in L.A., like me, who have never been to the Hard Rock Cafe, and who have never even *heard* of Sasch or Voila, and we lead perfectly happy lives. I work at UCLA, and am surrounded by dozens of people who care about each other, their families, and are very satisfied with life in general. I attend a church (the Church of Christ in Culver City) whose members would have a very hard time relating to the stories in his article. Ben, I feel sorry for Staci, Lois, and your shrink Pal, P. These people need to reorder the priorities in their lives, and maybe you need to broaden the circles you move in a little bit.

—Dick Woodruff
Los Angeles, California

After I'd finished reading Mr. Stein's article, my *TAS* sank into my lap for my arms had gone limp. My immediate reaction was despair, for what he wrote was very true in many instances. Yet, knowing some Los Angeles female exceptions to the rule, I must reply if for no other reason than to reassure myself.

In Los Angeles, the sheer amount of glitter, money, and glamor is overwhelming. The material goods accumulated are not bad, in and of themselves. But the constant bombardment of our senses with big, beautiful, fast, shiny, powerful objects all day long with very little respite affects many adversely. To say nothing of the repeated impact the "media" has, a person must consciously stand back for perspective; like dousing oneself with a bucket of cold water after a long rest.

What does all of this have to do with relationships between men and women? Well, I, for one, am very affected by my surroundings. I know how my mind searches for pleasure and how the searches are influenced by repeated messages.

Don't misunderstand that one's actions can be blamed on one's environment. A person (unless mentally incompetent or very young) is responsible for his/her actions. But, the visible world and the morals most loudly acclaimed do affect our outlook. This idolization of short-term gratification—have it your way—causes many to search only for the pleasure of today; not the happiness of tomorrow. We want instant gratification whether it be professionally or sexually. Sacrifice and hardship, planning and saving, chastity and fidelity get lost in the mad shuffle. If we do not get "the gusto," we feel cheated. Somehow, the world, the government, or, in this case, the male or female sex, must pay. Revenge. A humorless, self-defeating effort to fill the emptiness, the hollowness within, with something, even if it is hatred. That is, at least, better than nothing, right?

Now, my note of hope on this dismal scene is that some folk, even within the environs of Los Angeles, try to live life in the slower lane. Mr. Stein, not all the women in Los Angeles will drive men to homosexuality. Some still know the meaning of love. Some still hope for a box of candy and a dozen roses. Some wish to, some do, demonstrate tenderness to a man they can trust.

My only hope is that the sexes will not give up on the other even in Los Angeles.

—Isabella Ceplecha
Los Angeles, California

More on the Massacre

Thank you, gentlemen, for giving us, at last, an authoritative refutation of the Soviet disinformation on the KAL 007 massacre which our own press organs have so enthusiastically and reprehensibly disseminated ("Sense and Nonsense: A Reader's Guide to the KE007 Massacre," by James E. Oberg, *TAS*, October 1985). Tom Wicker's repeated fulminations based on the despicable Pearson article ought to make any American, or even any honest person, gag. But naturally the public lacks specific knowledge of civil air traffic control methods and military capabilities, and I fear that this combined with a climate in which people are ready to believe in the wickedness of their own government has served to make such outrageous lies regrettably easy to sell.

As a pilot with the Strategic Air Command I feel able to emphasize a couple of Mr. Oberg's points and perhaps add one or two. He says quite correctly that "Airliners in mid-flight in the North Pacific are on their own, solely responsible for maintaining and reporting their positions; air traffic control radars were never intended to provide help along these portions of the route." This can easily be seen to be true if one grasps the simple fact that air traffic control radars do not exist in the ocean. For that matter, they are not in place in most remote areas of the earth. Civil radar coverage of the continental United States is virtually complete, and if an airliner on an Instrument Flight Rules flight plan strays even slightly off course, the pilot is immediately so advised by the radar controller. Over open water and remote land areas, however, tracking and safe separation of aircraft is accomplished by the controlling agencies only by means of periodic reports from the pilot of his position and his estimated time of arrival over subsequent points on his intended route. Note that this obviously means that if he is off course and doesn't know it, his position reports will indicate he is on the planned route.

As to land-based military radar, its purpose is to defend our borders. Thus its primary concern is with *incoming* aircraft, and its only capability is to detect, identify, and track aircraft in or near the ADIZ—Air Defense Identification Zone—a narrow (about 200-mile wide) band which surrounds our borders. Alas, we have not the capability of monitoring Soviet airspace except perhaps the very small area where its proximity to our own territory places it in range of the border radars.

Now, the RC-135 story. Mr. Oberg deals with this rather summarily, pointing out that various models of the RC-135 differ and that their mission has presumably changed in the 15 years which render Bernard and Eskelson's information obsolete. Now I fly a KC-135, not an RC-135, and so do not know in detail the capabilities of the reconnaissance birds, and could not of course discuss them in detail if I did. But everyone who has a general knowledge of the Air Force mission knows this: The purpose and mission of all the RC-135s is listening, not looking. They patrol near the borders of the target area to eavesdrop on and record all manner of electromagnetic radiation emanating therefrom. Besides, the on-board technicians do nothing more than collect data for recording or direct transmission to the agencies which interpret and make use of it. It is the E-3, or AWACS, aircraft which use sophisticated airborne radars to detect hostile targets and provide air battle management in a tactical environment by identifying and tracking them. No one to my knowledge has suggested that an E-3 was in the area of KAL 007's flight path. I believe that Pearson made a dubious reference to the presence of a Navy E-2, but even in the unlikely event that is correct, its function was not to track civilian airliners.

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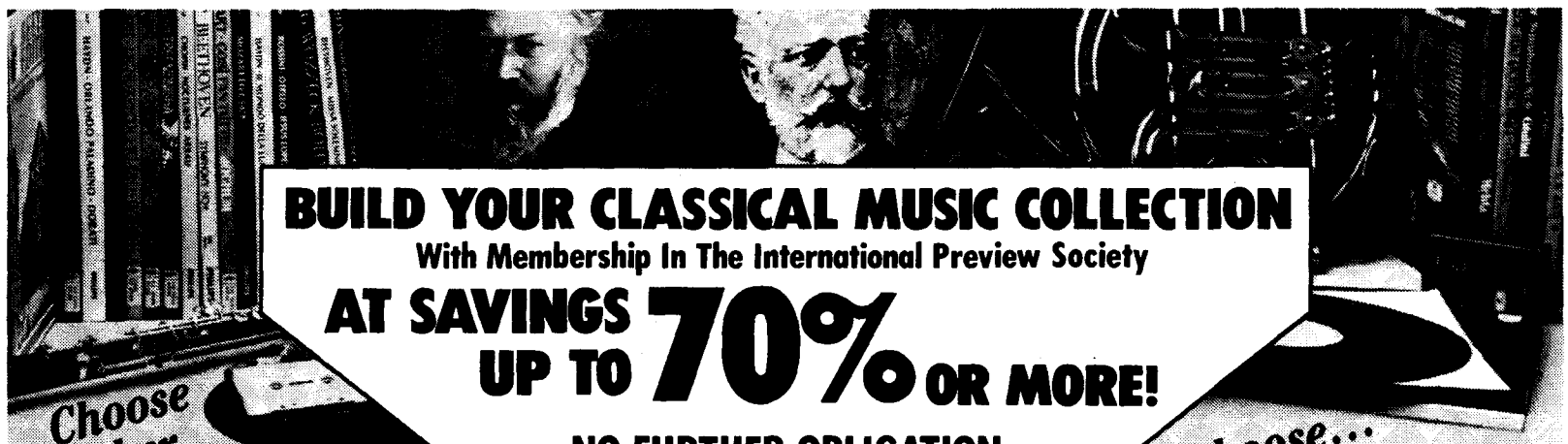

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EDITORIALS

THE PRESIDENT'S AMBITIONS

by R. Emmett Tyrrell, Jr.

For a President who is now well into his second term Ronald Reagan has piled upon his desk a prodigious mound of work—and still some call him lazy. Certainly the Eisenhower of the second administration did not have such vast ambitions. At this very hour the President and his assistant presidents are working on the Strategic Defense Initiative, plans to balance the elephantine budget, to modify the federal income tax code, and to revise affirmative action rules for federal contracts. All are policies of the utmost importance, signifying as they do momentous changes in policy. Yet there is one decision being fevered over that ought not to be on the President's schedule: affirmative action for federal contracts.

Affirmative action is one of those odious panaceas dreamed up by 1970s reformers who viewed all adult Americans as juveniles and all juveniles as animals. According to this view, we were all at one with B.F. Skinner's rats. We were to be rewarded when we behaved appropriately and scorned when we were remiss. The reformers had developed a plan for America, and through government coercion each American would hunker down and play his appointed role.

Now here is a profoundly dreary view of humanity. Seen in the reformers' light human beings are hardly human and ought never to be free. We are physical presences to be arranged from above according to race, color, creed, sex, and so forth. A certain percentage of every work force was to be black and female and leavened with other so-called minorities. The exhilarating air of the free society wherein one sets out to achieve whatever one wishes was replaced by categories to be filled and policed by bureaucrats. The sense of personal responsibility, personal achievement, and personal worth was replaced by the knowledge that something other than talent and hard work would decide one's condition—namely, government decree.

Affirmative action was one of the most repugnant notions ever dreamed up by reformers in a free society. Moreover, it was idiotic. It presumed that the history of the freest country in the world was a history of oppression. Then it promised to compensate the oppressed by immediate advancement in education and in jobs, but without prejudicing the advancement of the theretofore non-oppressed. The promise was of course absurd, and there are today millions of Americans who have been held back because of their sex and race. Others have been advanced, of course. By the late 1970s two-thirds of the American people, accounting for three-quarters of the national wealth, qualified for minority status.

Affirmative action is but another piece of reform that reveals the reformers' deep contempt for democracy and for the ordinary people of the land. It has always been thumpingly unpopular and the reformers have never exposed it to the will of the people. Even its reputed beneficiaries abhor it, for it denies them their personal achievement, revives bigotries, and is so foreign to American ideals. In 1984 64 percent of the Republic's non-whites opposed preferential treatment, according to the Gallup poll. More recently as many as 77 percent of the Republic's blacks did the same.

Ronald Reagan came into office opposing preferential treatment on the basis of race or sex in hiring and in other matters. In his 1980 campaign statement he said, "We must not allow this noble concept of equal opportunity to be distorted into federal guidelines." Since his first inauguration he has opposed government programs requiring preferential treatment on the grounds of race and sex. As recently as June 15, in a radio talk, he warned against "some today who in the name of equality would have us practice discrimination. . . . These people tell us that the government should enforce discrimination in favor of some group through hiring quotas. . . ." Now he and his assistant presidents worry about how to change an executive order dating back to 1965 that is used as the basis for affirmative action.

Actually, the President does not have to change the order. All he has to do is to rescind it. It is no longer necessary, and he has confected for himself a busy enough schedule. □

Adapted from RET's weekly Washington Post *column syndicated by King Features.*

THE BIG CHILL

And so a jolly, 6'2", 308-pound rookie football player of modest accomplishments is to be the national wow, at least for a little while. William (The Refrigerator) Perry is now ravenously sought after by every organ of the media, not to mention corporate promoters. The same fate has befallen others: absurd misfits, victims of ghastly disease and medical breakthroughs, popular entertainers, and occasionally, individuals of singular, possibly creditable achievement. The hubbub attendant with being William Perry will of course be brief. That is in the nature of being a national wow. Recall, if you will, the fleeting popularity of such diverse phenomena as Michael Jackson, Margaux Hemingway, or Barbara Honegger. The nation's attention span is dwindling faster than the ozone layer or the Atlantic coastline.

I remember the national hysteria over Michael Jackson. He shouted no songs that will endure and did little else that was admirable to an intelligent mind. Nonetheless, from the ecstatic attention he was accorded by the media and the dopes who follow popular music, one would think that he was a figure of historic significance. The presence of cameras and microphones can create such hallucinations, but only for a while. Then they are moved on to

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some other subject of fascination. After Mr. Jackson there was Madonna. Soon even a Madonna undraped and featured in the pages of our leading porn magazines attracted little attention. Who will stir up the credulous clients of rock 'n' roll?

Regarding the behemoth Mr. Perry, we are told that the public is just wild about him. Well, I cannot say that I have encountered a soul who has displayed even modest interest. Before undertaking this column I requested the views of several learned observers of the American scene—what did they think of "The Refrigerator"? Not one manifested any interest whatsoever, and for the first time ever I actually saw the face of my friend William F. Buckley, Jr., go absolutely blank.

Mr. Perry is a defensive lineman who has started in only a handful of games for his team, the Chicago Bears. He has participated in a few offensive plays, caught a pass, and scored a few touchdowns. Well, felicitations. In fact, mazeltov! I hope this is the beginning of a stupendous athletic career, but his induction into the Football Hall of Fame is still a long way off.

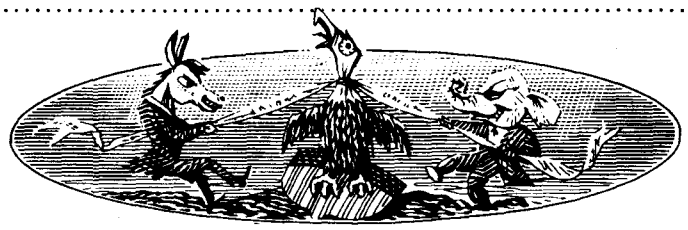
In purely objective terms there is no reason for Americans, even the dopes among us, to be fascinated by Mr. Perry. And, as for most of the other national wows, there are often compelling reasons for finding them repugnant—for instance, their lack of talent, their unenviable predicaments, their prosaicism. At any rate, the fascination is always vastly out of proportion to what is warranted.

What created these absurd hysterias is the existence of a huge communications network pervading the nation and waiting somewhat desperately for stories to be echoed and reechoed through it. Every day—in fact every minute—television networks, radio networks, newspapers, magazines, and still more communications systems await the arrival of some great event or personage—anything to utilize their facilities, to intrigue an audience. Broadcast studios and printing presses cost money. Always someone or something must be found to rave about and to make these facilities profitable.

In all history, this is an unparalleled condition. These expensive communications systems simply have to be put to use. Thus we witness the celebration of such fellows as "The Refrigerator." Beyond his celebrity there is actually not very much to say about the man. Read the stories about him, listen to the broadcasts.

Ah, but there is! There are those product endorsements, the requests for public appearances, the interviews. To the fascinating story of a fat fellow catching a pass and making a touchdown, the media now add the story of his growing popularity, a popularity that the media created and nurtured. Now is this a genuine news story or is it a contrivance? On a more important point, how many other, more consequential news stories are similarly contrived? It is one thing when great personages create history. It is quite another thing when history is created by the mountebanks who have brought us "The Refrigerator." □

CAPITOL IDEAS



NO TURNING BACK

by Tom Bethell

At boarding school many years ago I dimly recall hearing that there would soon be a meeting between Premier Khrushchev (as he was called) and President Eisenhower. (Now we are more deferential. "Mikhail Gorbachev, the Soviet leader," seems to be the obligatory media protocol.) My reaction to the earlier Geneva summit was something like this: Wow, if they get together and talk, maybe they will discover that they are members of the same human race, etc. I think now that my reaction was subconsciously formed by fairy tales of rival kingdoms ruled by autonomous, all-powerful Good Kings and Bad Kings. Something unexpected might happen to a Bad King and he would become a Good King. So would his Kingdom. The idea that conflicting ideologies produce forms of government whose coexistence ensures world tension was something that I would not have thought of at that time, nor would anyone have suggested it.

What I cannot understand is that a sizable percentage of the adult population, especially the university-educated segment, retains my teenage outlook thirty years and many summits later. It should have become clear by now that "differences" between a free market democracy and a totalitarian slave state cannot possibly be "resolved" by a meeting between their heads of state. Indeed, summits tend to be dangerous because they inevitably reinforce the (well-founded) Soviet suspicions that senior American officials are a weak and gullible lot, endlessly willing to respond to threats with *mea culpas* and further propitiatory offerings.

As someone who works in the White House told me, Americans are oddly reassured by the prospect that, post-Geneva, Gorbachev and Reagan will at least have had a chance to get acquainted. That is what is so disconcerting! Gorbachev really is likely to have concluded that all that stuff about the bellicose Reagan was indeed propaganda and nothing else. Similarly disdainful assessments of the American leadership seem to have been formulated in the Kremlin after almost every summit, to judge by subsequent events (Hungary, Czechoslovakia, Berlin Wall, Afghanistan, and so on). Reagan might have more wisely remained in Soviet eyes the mysterious solitary figure on horseback, riding about his ranch with a blade of grass between his teeth, a missile in his holster, a black hat on his head, and an unfathomable look in his eye.

U.S.-Soviet relations have of course changed since 1955, and in ways that make the persistent faith in "dialogue" particularly hard to understand. First, it should be clear to all by now that the Soviet economic system (socialism) does not work, cannot work, will never work, and if persisted in will reduce to starvation all countries saddled with it. By contrast, from about the mid-fifties to the mid-sixties there was a widespread belief, shared by most economists in the world, and by the CIA, that Communist central planning would before too long leave market economies in the dust.

Paradoxically, however, the number of educated people in the West who are

Tom Bethell is The American Spectator*'s Washington correspondent.*

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spiritually aligned with the Soviet Union has greatly increased in the last generation. I refer to the international horde of peace activists, to the disingenuous disarmers, the socially responsible physicians, the physicists for mutually assured destruction, the rampaging campus crusade for Marx, and to the fifth columnists of the news media. So far as I know, absolutely no explanation has been provided for this fantastic shift of allegiance on the part of free, educated people into a tacit alliance with a blood-soaked state based on terror and coercion. Not only has there been no explanation, there is scarcely any recognition that an explanation is needed because the phenomenon itself has been denied (with the ad hominem argument that those who advance such views are guilty of paranoia, conspiratorial thinking, and above all McCarthyism).

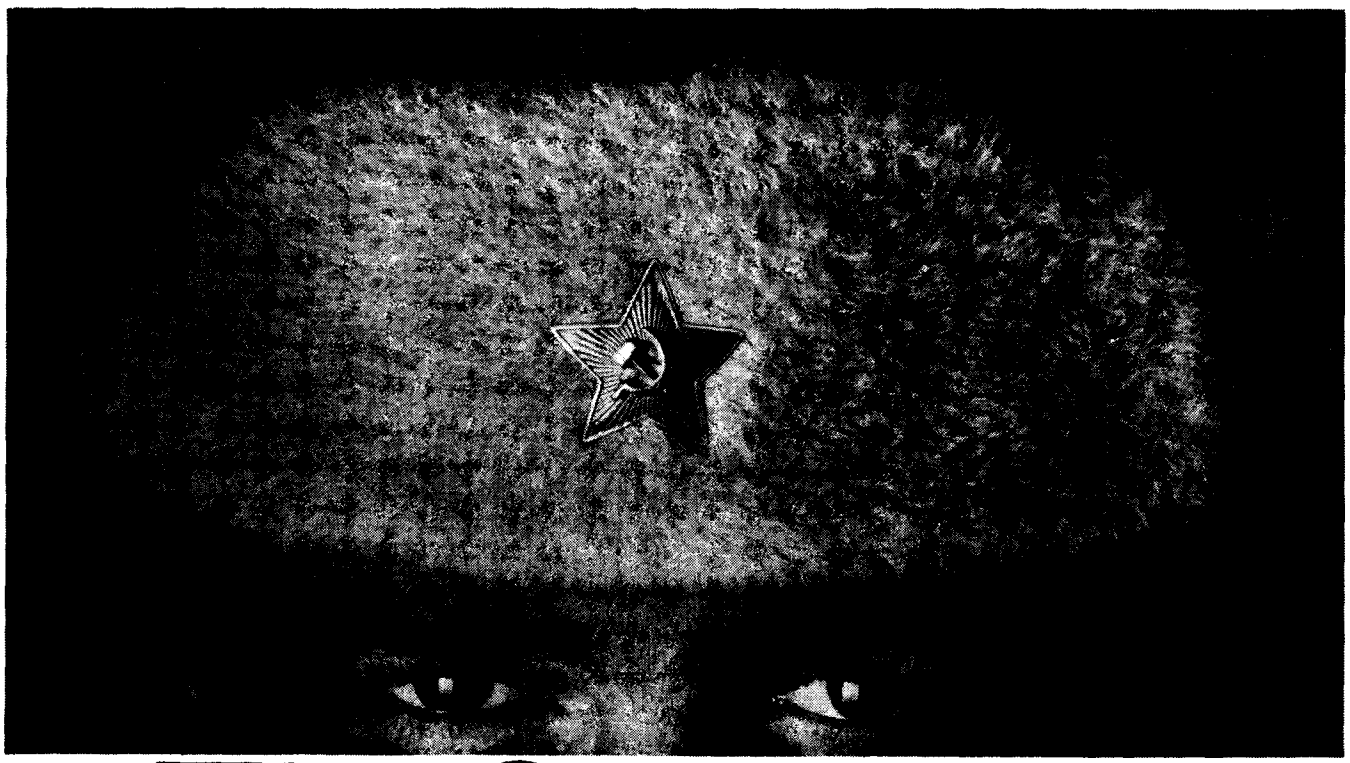
The latest Geneva summit, just concluded as I write, was a sham and a pretense. No good can come of it. Certainly the "arms race," an expression of the tension between the U.S. and the Soviet Union rather than the cause of it, will not be curtailed as a result. Before leaving for Geneva, President Reagan said to the Soviet Union via Voice of America that "Americans do not threaten your nation and never will." Although of course sincere, this comment showed a possibly serious lack of comprehension on Mr. Reagan's part. The U.S. indeed does constitute a serious threat to the ruling Soviet hierarchy. It is beside the point that we do not *mean* to threaten anybody. The fact is that free people do threaten tyrants.

Michael Voslensky clarifies this important point in his remarkable book *Nomenklatura* (Doubleday, 1984), described on the cover as an "insider's report" on the "Soviet ruling class." After the stifling Geneva fog of (Soviet) lies and (American) self-deception, one turns to this work as to an oxygen mask. Here is a passage from the chapter entitled "The Claim to World Hegemony."

> [The nomenklatura] knows very well that the standard of living in the West is much higher than in the Soviet Union, and that the West enjoys a degree of liberty inconceivable to Soviet citizens; it also knows that its subjects know that, and that it is able to contain them only by perpetual intimidation. But it cannot count on intimidation forever and is terrified of what will happen on the day its subjects tire of living in fear.
>
> Because the mere existence of a free and affluent West shows its subjects that the capitalist system, in spite of all its faults, provides better living conditions, the nomenklatura believes that that day might come. As this has nothing to do with any provocative attitude on the part of the West, but is a consequence of its mere existence, no amount of detente or "good conduct" on its part will cause the Soviet leaders to depart from their general line and abandon their objective of destroying the Western system. The same consideration underlies nomenklatura policy in the Third World.

Is this so difficult to understand? Soviet officials fear the Western system in the same way that indolent monopolists fear free trade. It threatens privilege. "Trying to persuade the nomenklatura that the West is not determined to break its power and represents no threat is useless," Voslensky writes. "The nomenklatura knows that the West is a danger to it. The danger is not of military attack, as the nomenklatura propaganda claims, but takes the more insidious form of spontaneous dissolution from within—which the nomenklatura never mentions. To stop being a danger in this way, the West would have to sacrifice its liberty and prosperity, everything that so advantageously distinguishes it from real socialism."

As to the immediate future, Reagan will come in for a renewed assault from The Hive (the communion of apostates arrayed harmoniously around the Soviet queen), in another attempt to get him to drop strategic defense. By the time you read this the swarm should be after him again. Raisa Gor-



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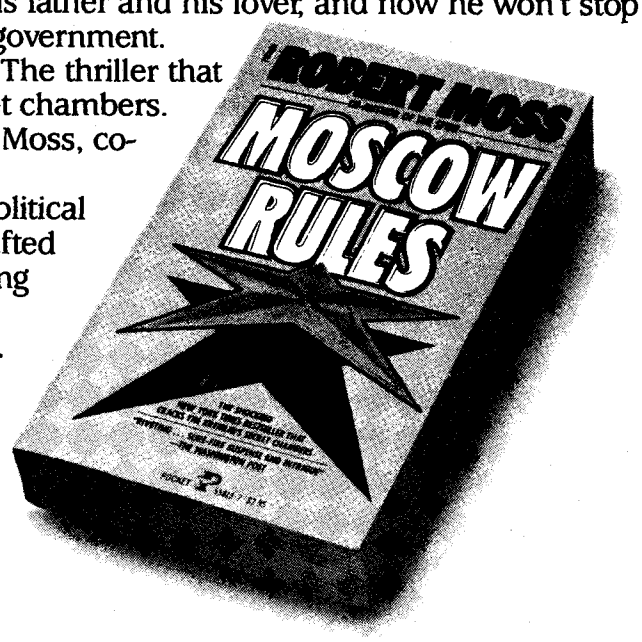

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bachev, who loyally visited the Lenin shrines in Geneva, made a tactical error in delivering little Marxist homilies over the teacups to Nancy Reagan—hitherto the secret weapon of the détentists. She is likely to have concluded that these people really do believe in Communism. And indeed there is no greater mistake than to conclude that they do not. It has worked well enough for them, after all.

It's quite likely that Gorbachev will not in fact come to the U.S. next year, and I believe highly unlikely that Reagan will ever visit the Soviet Union. If the post-summit pattern of renewed Soviet aggression is to be preserved, the Soviet High Command will soon be strongly tempted to make another expansionary move, or some new assault or military strike. The Soviets just are not going to sit idly by while the U.S. develops the means to neutralize their painstakingly acquired missile forces. "SDI will degrade the Soviet offensive arsenal as a geopolitical asset," wrote George Will, whose column has been an island of truth in an ocean of self-deception in recent months. "That arsenal is the only claim the economically and culturally backward Soviet Union has to superpower status."

I guess there will be no more arms control agreements. The Soviet Union is not going to reduce its offensive forces unless Reagan agrees to suspend all work on strategic defense, and here the good news (heard so rarely from Your Correspondent) is that Reagan will make no such concession. My reasoning goes as follows:

It is the technological, or computer revolution of the last decade that makes strategic defense possible. That revolution cannot be stopped or rolled back. It has after all occurred in the private sector, not in U.S. Government laboratories. The technological revolution will continue whether or not government research and development funds are appropriated for it. SDI is simply the military procurement of the latest technology, which makes possible the rapid data processing needed to track 25,000-m.p.h. missiles. (Of course, you only have to hit such missiles with very small objects to explode them, and very small objects are cheaper to make, and to fire, than large missiles. So the economics of the new technology works inexorably in favor of defense.)

The private sector origins of the new technology means that it is for sale. Thus it is only a matter of time before the Soviets obtain it. In this respect Reagan's offer to share the technology is quite Machiavellian: He is offering to share what the KGB by then will no doubt have either bought or stolen. (Whether they will be able to make it work is another matter.) The knowledge that the Soviets are in any event likely to obtain the technology effectively prevents Reagan from abandoning SDI research and development, because obviously if they get it before us then the whole world is in danger. George Gilder's suggestion that we shouldn't bother to regulate the sale of the new technology would likewise force Reagan's hand. If implemented, the suggestion would compel the U.S. to proceed full speed ahead with SDI—no doubt the best strategy.

Notice above all the asymmetrical geo-strategic postures of the U.S. and the Soviet Union. The Soviets' power derives solely from their ability to threaten the world. We by contrast are defensive—all too defensive on occasions. In such a world, a defensive capacity that is made available to all works to the disadvantage only of the aggressor. That is why stopping strategic defense is such an urgent matter for Mr. Gorbachev. But how can he stop it? For years people have wistfully pondered the impossible task of disinventing the atom bomb: How do you abolish knowledge? How do you abolish the computer revolution? □

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Psycholinguist Suzette Haden Elgin has presented her innovative self-defense principles in a variety of formats. She has given workshops and seminars all over the U.S., including verbal self-defense sessions for doctors, lawyers, and other professionals. Dr. Elgin has also created a self-defense tape and a training manual for people who teach her self-defense techniques.

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THE MX IN AN AGE OF DEFENSE

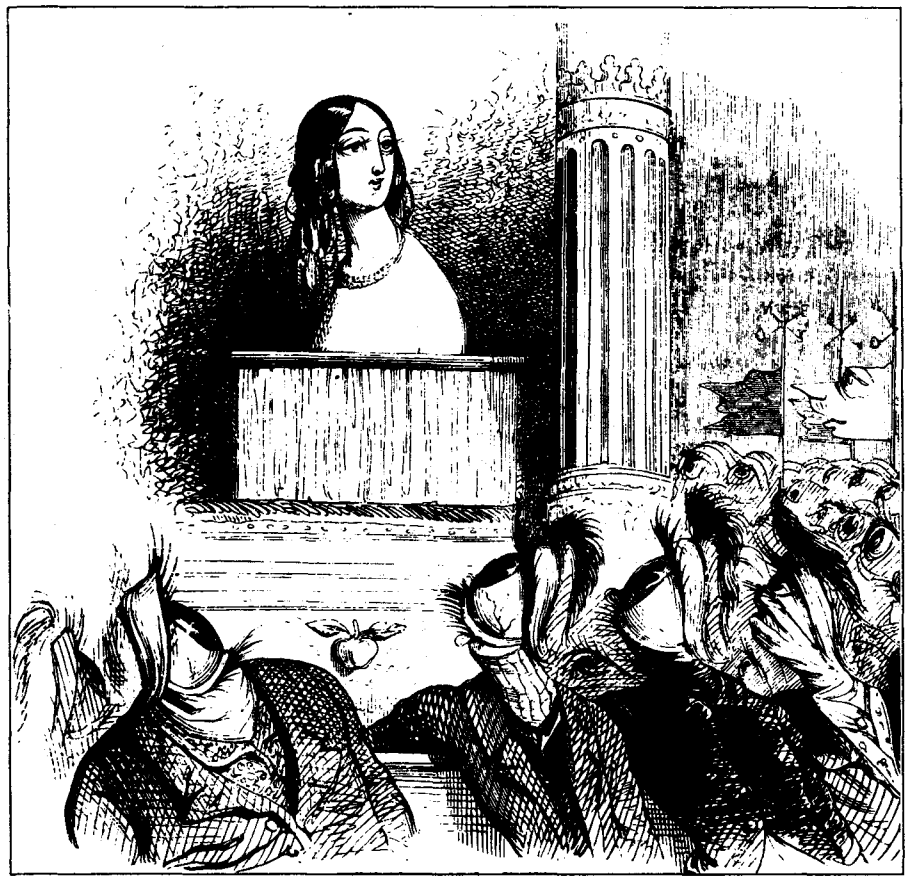
Is there an ICBM in your future?

Two years ago, a presidential commission under the chairmanship of former national security adviser Brent Scowcroft attempted to resolve the perennially controversial issue of modernizing the U.S. intercontinental ballistic missile (ICBM) force. The Scowcroft Commission recommended deployment of 100 MX missiles in existing Minuteman silos and development of a small, mobile, single warhead ICBM for the 1990s and beyond. That the Commission's report was less than successful in its principal task—to provide a rationale for a substantial MX deployment—is now plain. Dissatisfaction with the vulnerability of the proposed basing mode has led Congress to impose a ceiling of fifty deployable MX missiles, pending identification of a more "survivable" basing mode for the remaining fifty. In another sense, however, the Scowcroft Commission has succeeded all too well. It has created the impression that the ICBM question has been resolved, at least in principle, thereby removing it from the center of the debate over the future of strategic forces (which has now come to be occupied by the Administration's Strategic Defense Initiative).

Several recent developments, however, should make us re-address the entire issue of ICBM modernization. Dramatic advances in "superhardening"—making the missile silo less vulnerable—together with recent findings on nuclear cratering effects, have revived interest in the idea of deploying MX in new fixed silos. There has also been growing interest in Congress in the possibility of near-term defense of MX. At the same time, criticism of the proposed small ICBM (popularly known as Midgetman) has increased. The likely costs of Midgetman, its limited capability, and the unresolved issue of its basing mode pose serious questions that will assume increasing political weight as the program matures. Finally, an arms control agreement involving deep cuts in offensive forces is not likely to permit the U.S. the luxury of two new ICBMs.

The rationale for the MX or a missile like it remains compelling. Only MX will reliably threaten high-priority and extremely hard Soviet targets, and at the same time offer the flexibility and control required for deterring limited attacks. The new Trident D-5 sea-launched ballistic missile (SLBM) will share to some degree MX's ability to destroy hard targets, but severe difficulties in communicating with submarines at sea, as well as other operational problems, will limit the effectiveness of SLBMs for the foreseeable future. Stealth bombers and cruise missiles may some day assume certain ICBM missions, but such systems will remain slow and vulnerable in their basing and support structures.

MX also has decided advantages over a small ICBM like the Midgetman. Mobile missile systems generally must pay a penalty in size, cost, readiness, and command and control; Midgetman will be no exception. Midgetman is being designed to carry one warhead approximately the size of one of the ten carried by MX. As currently configured (under a congressionally imposed weight restriction), it will be unable to accommodate a significant number of penetration aids, or larger, more sophisticated guidance packages. As a result, its ability to survive Soviet anti-missile defenses (certainly a possibility by the 1990s if not sooner) is questionable at best. It will also have difficulty accommodating higher yield warheads that may be needed to threaten the increasingly hard Soviet target base. Whether the mobile launcher for Midgetman can be made sufficiently hard and elusive to survive barrage attacks is also uncertain: It cannot simply be assumed that mobility by itself will solve the problem. And the life-cycle costs of a thousand-missile Midgetman force (which the Congressional Budget Office has estimated at some $107 billion over twenty years) may prove too high in proportion to its likely effectiveness. Under these circumstances, it is not at all certain that this system can be counted on to sustain the ICBM leg of the U.S. strategic triad.



The crippling liability of MX to date has been its relative vulnerability when based in existing Minuteman silos, and the apparent absence of an acceptable basing alternative. Yet this situation may now be changing. In an unheralded but potentially revolutionary advance, new techniques have been developed that allow us to harden missile silos by as much as fifty times present levels. (The Soviets, who pioneered in this area, already have silos two to three times as hard as ours.) Such silos would essentially be invulnerable to anything other than a direct hit, in which cratering would disturb the silo's orientation. But it now appears that disabling a silo, even in this fashion, is much more difficult than had been thought. Simulation experiments and recent analysis of older data by the Defense Nuclear Agency indicate that the area subject to cratering by a high-yield explosion is considerably smaller than previously supposed. Moreover, U.S. intelligence analysts now believe that the accuracy of Soviet heavy ICBMs has been significantly overestimated. In light of this new knowledge, basing MX in fixed silos becomes much more attractive.

Several of the basing modes under

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consideration seem especially promising. Spacing the silos very close together, and thus narrowing the line of attack, compounds the problems of timing and "fratricide"—the possible collision of incoming warheads—that would face Soviet attack planners. Narrowing the attack corridor would likewise make mid-course and terminal ballistic missile defense easier. Also very attractive is the new "carry-hard" option, which uses mobility and deceptive basing in shelters that could be cheaply proliferated.

Of particular interest in this connection is the possibility of "active defense." While the goal of SDI remains the comprehensive defense of the United States and its allies, Administration spokesmen have said that any such defense is likely to comprise multiple layers, and that the development and deployment of these layers is likely to be sequential rather than simultaneous. Why not begin, then, with a terminal layer designed to protect Minuteman, MX, and perhaps other critical military targets? Such defenses are dismissed out of hand by many (including some who recognize the need for modernizing ICBMs and support the principle of an eventual nationwide defense) on the grounds that they could be too easily defeated by a proliferation of offensive warheads. These critics underestimate the technological trends favoring smaller and cheaper defensive systems. And they generally fail to appreciate the advantage of a system that "preferentially" defends a set of hard targets such as ICBM silos—that is, defends a random silo with two, three, or more interceptors while leaving others unprotected, thus forcing the offense to expend a disproportionate number of warheads to assure the success of the attack. A preferential defense would be particularly effective when combined with a scheme of deceptive basing, under which an increase in the offensive threat could be countered by increasing the number of shelters rather than the missiles or interceptors themselves.

In assessing the vulnerability of U.S. ICBMs, too little attention is paid to the difficulties the Soviets would face in designing an attack and to measures the U.S. might take to compound these difficulties. We do not need a system invulnerable in the face of some hypothetical ballooning of the offensive threat—only one that creates substantial uncertainty in the minds of Soviet decision-makers about the prospects for a successful attack. The point is not that ICBM vulnerability should be tolerated, but rather that a less than perfect remedy may be adequate for practical purposes. Such a remedy is surely achievable in the relatively near future.

Some senators who have opposed MX in the past have indicated support for near-term defense of ICBMs. Yet the Administration has thus far done little to encourage such support, or to clarify the relationship between active defense of MX and SDI.

Congressional interest in active defense for MX appears to be on the rise. In a proposed amendment to this year's Defense Authorization Act, thirty-three senators voted in favor of building a missile comparable to the Soviet SA-12 for nationwide air and ballistic missile defense, partly because of the protection it would afford land-based missiles. Some senators who have opposed MX in the past have indicated support for near-term defense of ICBMs. Yet the Administration has thus far done little to encourage such support, or to clarify the relationship between active defense of MX and SDI.

Securing Congressional approval of the Administration's request for 100 MX missiles will be difficult, but not impossible if an appropriate basing mode is offered. But the Administration's program, it should be recalled, is itself only half of the original MX deployment proposed by President Carter and embraced by the Reagan Administration in 1981. In military terms, the case for an MX force of 200 or more missiles is stronger than ever, given the steady increase in the number of Soviet targets and the Soviet advances in hardening silos and other critical military installations. In political terms, a case can also be made for retaining at least the option of a larger MX force for bargaining in the START talks in Geneva. Whatever leverage the MX program may once have provided has by now greatly diminished; indeed, it is likely the Soviets expect the program to die a slow death at the hands of Congress. But the Administration is obviously—and reasonably—unwilling to trade limited cutbacks in Soviet offensive forces for the liquidation of a defensive program (SDI) whose payoff, though ill-defined, is potentially enormous. This being the case, failure to create negotiating leverage in U.S. offensive forces is likely to preclude any possibility of a strategic arms control agreement for the foreseeable future. The best way to create this leverage would surely be to resurrect plans for an MX force of 200 missiles. At least for the present, however, any such effort would be politically quixotic.

Is there an alternative to enlarging the MX program? First of all, by deploying fifty additional MX in *new* superhardened silos we would not have to retire fifty perfectly serviceable Minuteman III missiles, carrying three warheads each, as called for by current planning. In addition, there are a number of measures we could take to make the Minuteman force as a whole more survivable and more capable. The existing silos could be hardened to a level at least comparable with Soviet silos, which should make them much less vulnerable even to the new generation of Soviet missiles now being deployed. They could be defended in a preferential mode by one or several initial layers of a ballistic missile defense system. Finally, and most importantly, the hard-target capability of the Minuteman force could be substantially improved by retrofitting some or all of the existing missiles with the Advanced Inertial Reference Sphere guidance package which has been developed for the MX. These measures would be expensive. But they would also be highly cost-effective, and should be politically sustainable. They represent a reasonable American response to the continuing growth of Soviet ballistic missile warheads, and to the need for leverage against these warheads in arms control negotiations. They could also serve as a concrete response to Soviet violations of existing arms control agreements. And they could be implemented flexibly, in direct and open linkage with Soviet force developments and arms control behavior.

Obviously, a serious commitment to improving the existing Minuteman force would raise questions concerning the need for a single-warhead small missile and the future of ICBMs generally. An upgraded Minuteman could not substitute indefinitely for a new ICBM: Minuteman is an aging system that will have to be retired in any case by the end of the century. But it should at least provide an insurance policy against the political erosion of the MX and Midgetman programs, and buy critical time in which to gauge Soviet intentions, the promise of strategic defense, and the merits and liabilities of a variety of new basing modes.

Finally, as the talks in Geneva continue, it is vital that the issue of U.S. strategic defense not be permitted to overshadow the issue of the U.S. offensive deterrent's future. Whether or not the U.S. proceeds with development of comprehensive strategic defenses, and whether or not an arms control regime of deep reductions can be achieved, the maintenance of a survivable and effective ICBM force throughout the rest of the century will remain a fundamental requirement of American policy. □

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Owen Harries

A CONSERVATIVE'S GUIDE TO THE THIRD WORLD

The term means just what it says.

Shiva Naipaul, who died suddenly last August at the age of forty, was the child of an Indian family transported by the British to the West Indies at the beginning of the century, to work as indentured labor in the sugar plantations. He grew up in poverty in Trinidad, won a scholarship to Oxford University, became a successful writer, and ended up living in the London suburb of Hampstead, that stronghold of successful middle-class English intellectuals.

With that background, it is not surprising that Naipaul was fascinated by what we have come to call the Third World: the countries of Africa, Asia, and South and Central America. He traveled extensively in and wrote at length about them, with insight, a mordant wit, and considerable ambivalence. One of the last pieces he published—an article in the London *Spectator* titled "A Thousand Million Invisible Men"—summed up what he had come to feel about the phenomenon of the Third World—which was, in brief, that it did not exist.

"The idea of the Third World," he concluded, "despite its congenial simplicity, is too shadowy to be of any use." Again: "The Third World is an artificial construction of the West. . . ." And again: "Of all the terms available to us—'underdeveloped,' 'developing' and so on—the idea of a Third World is the one least confined by reality and the most promiscuous in the political temptations to which it gives rise."

This is a view worth serious consideration—not only because it comes from someone as intelligent and informed as Naipaul was, but because it is shared by many Western intellectuals of a conservative disposition. They regard the Third World—or, as they usually have it, "the so-called Third World"—as a phony concept, a pseudo-entity, not to be taken seriously either politically or as a tool of analysis.

I know these people well, because in most respects I'm one of them. But on the question of the Third World I think they are wrong. My conservative friends tend to dismiss my disagreement as an aberration in someone who is otherwise sound, referring indulgently to my Australian background ("Of course, it's a special problem for you down there") and to the understandably traumatic consequences of serving a term in UNESCO. But this, an example of the relativism and the substitution of motive attribution for argument that they otherwise deplore, will not do. Either it makes sense to speak of "the Third World" or it does not. Obviously, I believe the former: One *can* speak meaningfully of "the Third World"; it *does* exist in a real, politically significant sense; and to pretend otherwise is to misunderstand the world quite seriously.

The arguments that lead Naipaul to his conclusion are pretty typical.

First, there is the argument from diversity and discrepancy. What, he asks, are the supposed characteristics of the Third World? Well, there's poverty. But, he points out, some of them—Singapore, for example—are not poor at all. Then there is industrial backwardness. But India, surely considered an archetypical Third World country, has one of the dozen largest industrial sectors in the world. Nonalignment? But Cuba, Ethiopia, and at least a dozen others are in no sense nonaligned. And so on. In the face of such discrepancies, such evidence of diversity, doesn't the whole idea of a Third World just "crumble away," as Naipaul suggests?

Well, not really. What it establishes is that tight, formal definition of the concept is difficult, perhaps impossible. But that is true of many other key political concepts: "nationalism," for example, or "class," "democracy," and the notion of "the West." There are, however, other kinds of definitions. Philosophers speak of "cluster concepts" or, in Wittgenstein's terminology, of "family resemblance concepts." The idea here is of a concept defined in terms of a number or cluster of characteristics. To qualify for membership it is sufficient to possess *some* of those characteristics—it is not necessary to possess them all, and it is not necessary to possess any particular one of them. The "Third World" is such a concept. Membership is defined in terms of a colonial or quasi-colonial past, a non-white population, poverty, the absence of large-scale industrialization, nonalignment, being an aid receiver, and so on. The possession of any combination of *some* of these is sufficient to qualify. Thus Singapore is prosperous and doesn't qualify under the poverty criterion—but it *is* an ex-colony, non-white, and nonaligned; Cuba is aligned to the Soviet Union—but it is also poor, an ex-colony, non-white, not industrialized, and dependent on aid. Ethiopia was not a colony and is aligned, but it is spectacularly poor, black, completely without industry, and, again, aid-dependent. In fact, the great majority of the countries called the Third World have *all* these characteristics in common, and *all* of them have most of them in common.

A second worry Naipaul has is that the concept is a Western one *imposed* on the reality of the countries involved. This is simply wrong. It's true that the term is of Western—and, more specifically, French—origin, having an obvious association with the old French term *Tiers Etat*, the third estate of pre-French Revolutionary days, those who were neither of the nobility nor the clergy. But the concept was never *imposed* by the West. On the contrary, from the beginning it was eagerly and quickly adopted by the elites of the new post-colonial countries as a term of self-identification, carrying with it the suggestion both of distinctiveness and

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of solidarity. Indeed, they would certainly feel deprived without it.

A third complaint Naipaul makes is that by giving all of these countries—there are about 120 of them all together—one label, we rob them of their particularity, their individuality, what he calls "the flesh and blood of the actual." Well yes, I suppose we do to an extent. But so do we when we use *any* general term to describe *any* collection of particular people or things. It is not an argument against the term "Third World" in particular, but against *all* general terms. But we can't do without such terms, because often we want to make general statements about large agglomerations acting as more or less single entities, just as at other times we wish to be quite particular. Thus, sometimes we want to make specific statements about, say, local conditions or events in Sri Lanka or Zambia; but at other times we want to speak of those countries as typical actors within a collective movement—and then the term "Third World" is appropriate. If it didn't exist, some substitute would have to be invented.

One of the things that worries Naipaul—and about which he writes powerfully—is that the "promiscuous idea of a Third World" focuses attention on physical needs and suffering ("Those slow-moving files of refugees in stony landscapes, those motionless babies with flies clustered round their eyes") and away from the dreams and fantasies which illuminate the deeper desires of its members. Disconcertingly but typically, he chooses to use Idi Amin to exemplify these dreams: "Amin's genuine obliviousness to what is sometimes called civilized opinions aroused admiration. . . . [He] offered release to pent-up emotions and fantasies; he transformed his sinister buffoonery into an intensely experienced spectator sport."

Whatever one makes of that example, Naipaul is certainly right in insisting on the importance of an awareness of these "dreams." But how the point relates to his general argument is obscure. There is nothing about the concept of the Third World that prevents or discourages us from being so aware, and if famine and physical suffering receive great attention in the West, it is because they are tragic and dramatic facts, not because of the effects of any conceptual apparatus. Indeed, if anything the term should be helpful in this respect; for its evocation of the "third estate" of Europe serves as a reminder that what the new countries want, perhaps above everything, is respect, status, recognition, and the equivalent of full citizenship to go with their, in most cases newly-won, independence—in very much the same way as the "third estate" of Europe (first the bourgeoisie, then the working classes) wanted these things in the eighteenth and nineteenth centuries.

To the cluster of characteristics which define the Third World should certainly be added this common aspiration, as expressed in a vague, often wrong-headed and muddled, but strongly held ideology. In fact, it is that ideology, more than anything else, that transforms the Third World from a rather messy socioeconomic category into a political fact.

Thus Singapore is prosperous and doesn't qualify under the poverty criterion—but it *is* an ex-colony, non-white, and nonaligned.

Most of these countries became independent around 1960. They lacked political clout, military power, economic leverage, and diplomatic experience. How then to be effective on the world stage? The answer they came up with was: by making solidarity an overriding principle in their dealings with the rich and powerful, so that they could take full advantage of their one obvious asset—their formidable number. In a few years—from 1960 to 1965—they created (and it was an impressive act of statesmanship by states with virtually no international experience) a number of key institutions for this purpose, among them the Organization of African Unity, the Group of 77, the Non-Aligned Movement, and OPEC. Apart from OPEC, their natural forum of operation was the U.N. system, where numbers counted and where the prevailing cant was conducive to the exertion of "moral" pressure against the guilt-ridden in the West.

These countries did not—do not—act as members of the Third World all the time. They pursue their own particular interests, they compete, they quarrel, they fight each other (most wars fought since 1945 have been intramural Third World affairs). This, again, is often cited as evidence of the unreality of the Third World. But, again, it misses the point: In certain circumstances (usually ones involving their relationships with the West), on certain important issues (including colonialism, racism of the white variety, the redistribution of the world's wealth, and, latterly, the Israeli-Arab conflict), they have acted with impressive unity and to some effect; in the case of opposing colonialism and racism, with very considerable effect.

To recognize this is not to approve of it. The ideology of the Third World is ramshackle and intellectually substandard, even by the low-going standards of twentieth-century ideologies. The specific programs pushed—the famous New International Economic Order, for example, or UNESCO's notorious attempt to set up a communication and information "order"—are ill-conceived and, if realized, would do more harm than ever to the Third World. Double standards are blatant (witness the contrast between the "justice" demanded on the international scene and how nearly all Third World governments behave toward their own subjects). In terms of strategy and tactics, after the early period of imaginative innovation, rigidity set in rapidly and what had originally been pragmatic and flexible policies became reified and sacrosanct. Instead of adapting to changing circumstances, the Third World persisted in a policy of frontal assault (by vote) on the West, long after it had become obvious that this policy could not succeed. Its moderate members, increasingly skeptical of the zero-sum game strategy in private, were too inhibited by the principle of solidarity to challenge it in public.

As well as all this, corruption set in on an impressive scale, as a class of politicians, diplomats, and intellectuals emerged with a vested interest in exploiting the aspirations of the Third World for personal gain and manipulating its members to consolidate their own power. You can see them in the corridors and committee rooms of any multilateral organization or conference, sleek men in well-cut suits who speak of hunger and exploitation—and the next conference in New York or Paris. Under their influence, the U.N. has become an increasingly sleazy side-show devoted largely to career pushing, irresponsible posturing, the manipulation of double standards, and attempted moral intimidation. Small wonder that, faced with this blend of pretentiousness, cynicism, and hypocrisy, the West has become increasingly skeptical and impatient towards it and its demands.

To state these facts, however, is not to deny, but to acknowledge and characterize, the reality of the Third World. Denying its existence merely postpones the question of what to do about it, and so far the West has been singularly unsuccessful in addressing this question. What required statesmanship of a high order—an enormous and very rapid revolution involving the dissolution of all the Western European empires, a tripling of the number of states in the world, and a fundamental transformation in the consciousness and expectations of millions of people—has instead been met by a combination of shallow "realism" (involving evasion, delay, and an unimaginative pragmatism) and sentimentality (the assumption that poverty ensures virtue and wealth guilt; exaggerated respect for Third World "thinkers"; pop-singer statesmanship of the "We Are the World" variety).

Conservative skepticism and liberal guilt have both contributed to this failure. One does not have to subscribe to the cataclysmic view of the future to believe that, if it persists, the consequences are sure to be very serious. Third World countries are not without power and strategic significance in the conventional sense—consider, for example, the number of straits, canals, bases, ports, airspaces, and airports they control. But potentially and collectively, the most potent power they possess is that stemming from weakness and desperation, the capacity to create disorder, instability, and, indeed, chaos, on a scale that threatens world order. To some extent the Third World is demonstrating this capacity already. If its sense of failure and frustration grows, it is reasonable to expect that it will do so on a much larger scale.

Even if one puts aside all considerations of altruism and morality (and one should not), the self-interest of those concerned to maintain an orderly world requires that the Third World be taken seriously. But we can neither accommodate its legitimate needs nor effectively counter its hostility and folly until we face the fact of its existence. □

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Mary Mainland

STANFORD'S VENDETTA AGAINST AN INDEPENDENT MIND

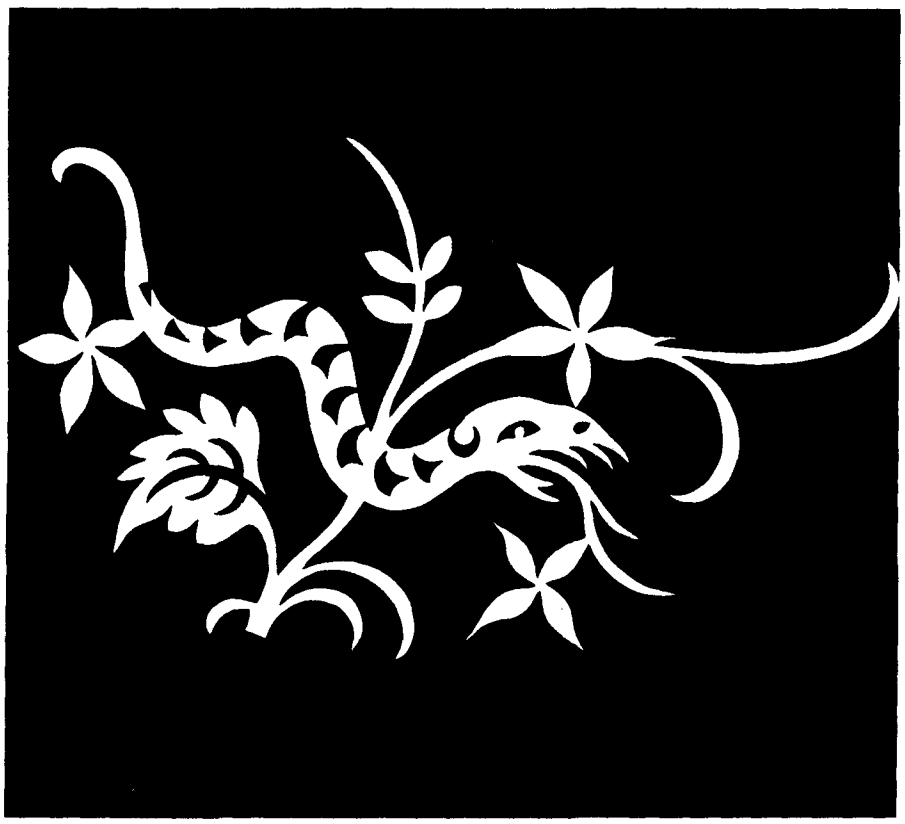
Steven Mosher: guilty until proven guilty.

On September 30, after the case had been before him for almost two years, Stanford University President Donald Kennedy finally rendered a decision upholding the termination of Steven Mosher from Stanford's doctoral program in anthropology. Had Kennedy simply denied the appeal without comment, the decision would probably have attracted relatively little attention. Mosher's termination had been upheld at the two previous levels of the university's internal review process, and other burning issues had long since supplanted it in the public spotlight. Instead, Kennedy rekindled the controversy by making public a 75-page letter to Mosher whose only apparent purpose was to gain popular support for the university's position by discrediting Mosher. Ironically, its effect is to deepen, rather than to allay, suspicions that the university's action was prompted by pressure from the Chinese government.

Mosher, it may be recalled, was the graduate student whose anthropological research in rural China during 1979 and 1980 led to a best-selling book, *Broken Earth.*[1] It also led him to write an article that appeared in a Taiwan newspaper in May 1981, revealing that the stringent birth control policy of the People's Republic of China included coerced, late-term abortions. According to Kennedy, "informal information surfaced" in the spring of 1981 that led the university to commence a formal investigation of Mosher in October of that year. In February 1983, Stanford's Department of Anthropology terminated his status as a graduate student, an action that Mosher charged was intended to dissuade the Chinese from imposing restrictions on other foreign scholars in retaliation for his article. Stanford denied this, claiming that Mosher was dismissed for illegal and seriously improper conduct unrelated to the article or to pressure from the PRC. It did not, however, disclose the specific charges against him.

Prior to the release of Kennedy's letter, members of the general public could not determine whether it was the university or Mosher who was lying. They still can't: For all its length, the letter does not divulge the charges that were the grounds for the termination. As Kennedy presumably hoped, this fact has been more or less ignored in journalistic coverage of the decision. Most news stories highlighted Kennedy's accusation that Mosher lied to him during the course of the investigation, while Fox Butterfield, in an article that appeared on October 5 in the *New York Times*, focused on the identity of something referred to in the letter as "the disputed object." Citing an unidentified Stanford professor, Butterfield revealed that it was a truck. Neither Butterfield nor the letter, however, disclosed the significance of the object, which Mosher may or may not have given to a Chinese commune. The university could not rebut Mosher's denial, but it would appear from the letter that, in any event, such a gift would not have been illegal. Like the charges themselves, the relationship, if any, of the "disputed object" to Mosher's allegedly illegal conduct remains mysterious.

According to Kennedy, the parties agree that disclosure of the charges would endanger innocent parties. If so, non-disclosure seems warranted, but it necessarily precludes any evaluation of the merits of the university's case. A 75-page letter that lacks the most pertinent information is like the ink cloud emitted by a squid, veiling its contours while signifying its presence. What the university is trying to conceal becomes the salient issue.



The "letter" actually consists of two separate but interrelated documents: a formal letter in which Kennedy discusses the procedure and substance of the case, and an attached appendix in which he analyzes additional evidence submitted by Mosher during the course of the appeal. As Kennedy concedes, the new evidence substantially undermines the university's case, by seriously discrediting its chief witness.

Buried at the very end of the letter is confirmation that the PRC did indeed bring direct pressure on the university in an effort to influence its decision. The penultimate paragraph reveals that, while the appeal was before him, Kennedy received a letter dated June 22, 1984 from a PRC official named Wang Ping, containing the following passage:

> During and after his stay in China, Mosher's behavior seriously damaged the cultural and scholastic exchange between China and the United States. We believe that you are just as concerned as we are. For the future normal and beneficial exchange between our two countries, I trust that you will make a correct judgment, based on the facts, and properly handle this matter.

Kennedy, a liberal Democrat, served as head of the FDA under Jimmy Carter. One can readily imagine his prompt and vigorous public protest had a similarly blatant intervention in the university's internal governance come from, say, the Reagan Administration or South Africa. A judge or juror, of course, is expected to report any tampering attempt immediately. Yet if memory serves, the Mosher letter, more than a year later, is the first time Kennedy has made the communication public, and his sole comment is notably restrained: "This does sound like a threat and as such casts discredit on its author."

It is impossible to disprove Kennedy's assertion that the decision was made despite, rather than because of,

[1] See "Broken Faith: Steven Mosher, Stanford, and China," by Miriam London and Ta-ling Lee, in the February 1984 *American Spectator.*

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what not only "sounds like" but clearly is a subtle but unmistakable threat. Nevertheless, his willingness to give the PRC the benefit of the doubt is in striking contrast to the determinedly judgmental attitude to Mosher displayed in the preceding pages. As depicted by Kennedy, Mosher is not exactly a monster of depravity, but he is so opportunistic, manipulative, and, above all, "lacking in candor," as to justify the anthropology department's refusal to "certify" him as an anthropologist.

The evidence presented by Kennedy, however, falls far short of substantiating such a devastating assessment. In only one instance can he show that Mosher lied with respect to an issue that is at all material. For the most part, the "evidence" is of such marginal significance as to cast more doubt on the judgment or motives of Kennedy in including it than on Mosher. For example, in 1979, Mosher wrote his faculty adviser that donation of a van to the commune in which he was staying would make officials more receptive to his requests for data, but, in 1981, he characterized the donation as a "gift of the heart." These "conflicting stories," writes Kennedy, are "of concern in connection with your candor and the accuracy with which you report your activities." Mosher's motives may have changed during the time he spent with the commune before he made the donation, but more importantly, they are irrelevant: Again, nothing suggests that the donation was illegal, and Kennedy is careful to state that there was no evidence the gift enabled Mosher to acquire secret documents or to secure unlawful access to documents.

It is similarly immaterial, if "lacking in candor," that Mosher failed to disclose that a woman who was paid for translations of his article later became his second wife, because the faculty committee considering the case concluded that Mosher could rightfully have received payment had he himself done the translating. Mosher's substitution, without prior notice to the faculty, of a first draft of *Broken Earth* for the demographic comparison of two Taiwan communities that was originally to constitute his dissertation is excoriated by Kennedy as "an abuse of the academic relationship." He does not, however, contend that it would normally have warranted any penalty beyond rejection of the dissertation.

Perhaps it was ill-advised of Mosher not to inform his faculty advisers, until asked, of a brief arrest by the Chinese after he had unwittingly entered a restricted area. But the only apparent result of the incident was to force Mosher to curtail his trip and apologize to the Chinese. For Kennedy to characterize as "simply not credible" Mosher's claim that he thought it unnecessary to mention a "minor and closed" incident thus seems inexplicable—unless, that is, it had ramifications that Kennedy prefers not to go into.

Buried at the very end of the letter is confirmation that the People's Republic of China did indeed bring direct pressure on the university in an effort to influence its decision.

Kennedy does not discuss the circumstances of the arrest, but Mosher's most recent book, *Journey to the Forbidden China,*[2] states that it occurred during a motor trip he took to the interior of south China, after completion of his formal research in the Pearl River Delta. Although he had received prior approval for the trip from Chinese officials in Canton, he was arrested in Kweichow province, far short of his intended destination, and told that the area was not yet open to foreigners. By that time, however, Mosher had seen enough to know why the rural interior is "forbidden" to foreign travelers: Its desperate poverty revealed all too clearly that the PRC, like the Soviet government before it, has extracted funds for industrialization and urban development from a peasantry that, in large part, is virtually starving.

Mosher's travel permit was canceled, but he was not expelled from China. In the book's epilogue, however, he discloses that six months after his aborted trip, when he had returned to Taiwan and published his offending article, he learned that the Ministry of Public Security in Peking was spreading allegations against him among visiting academic delegations. He also alleges that, in 1982, the Chinese government sent a document to Stanford claiming, among other things, that his trip had been taken without official permission, and hinting that, unless the university dealt with him severely, the scholarly exchange program would be cut back. Kennedy alludes to the book in his letter, but does not deny this allegation, stating only that he found no evidence of threats to anyone involved in Mosher's termination.

Kennedy even dredges up a 1977 incident in which, by falsely claiming to be an active naval officer with a "top-secret" clearance, and thus able to act as a courier of top-secret documents, Mosher, a former naval officer with only a "secret" clearance, cadged a free flight on military transport from Travis Air Force Base in California to Japan. One cannot condone the deception, but its purpose was no more nefarious than to reduce the costs of travel from the U.S. to Taiwan, where he was doing research, at a time when he had no Stanford funding. Moreover, as Kennedy admits, the incident was totally unrelated to any of the allegations leading to his termination. Its inclusion in a letter purporting to deal with the termination reflects the zeal with which Kennedy seeks to demonstrate a pattern of unethical and manipulative conduct on Mosher's part.

Whether he succeeds is debatable—readers are likely to find Mosher more lacking in judgment than in ethics—but even more dubious is the claim that character defects constitute valid grounds for dismissal from a doctoral program. Kennedy can point to no pre-existing university or department rule or practice that would sanction denial of a doctorate for non-academic reasons. Traditionally, all that a Ph.D. has signified, and all that a faculty "certifies" in awarding it, is its possessor's fulfillment of specified academic requirements. Whatever the charges against him entail, nothing suggests that they relate to Mosher's academic performance or that he violated accepted canons of scholarship by, say, fabricating research data. Although an academic I know quipped that it would decimate the nation's graduate schools, perhaps universities should require doctoral candidates to meet ethical, as well as scholarly, standards. The fact remains that, to date, they have not done so, as Kennedy's failure to disclose even one previous instance where a doctorate was denied on moral or ethical grounds tacitly admits. Obviously, if there were precedents for the Mosher case he would have cited them.

Despite the lofty rhetoric about the anthropology department's "obligation to the profession" to "certify" the compliance of its graduates with such "professional imperatives" as "sensitivity to others" and "unquestioned honesty," Kennedy's emphasis on Mosher's lack of candor clearly serves a much more basic function: to shore up the credibility of Mosher's chief accuser, his ex-wife Maggie So. Kennedy explicitly states that the case against Mosher rested largely on evidence supplied by her, and that one of the charges "stands or falls" on her overall credibility. Apparently Mosher expressed disbelief that the university would take her charges seriously, and from the appendix it is easy to see why.

To put it bluntly, she is the sort of witness upon whom only the most desperate prosecutors would care to rely. Her determination to revenge herself on Mosher for divorcing her and marrying his research assistant is confirmed by a letter from her former apartment-mate who heard her make the threat, and who also stated that she knew Miss So to be less than truthful. As Mosher pointed out, she did not contact the university until after the divorce had become final. Several of her statements are controverted by independent evidence. She claimed, for example, that she and Mosher shopped in Hong Kong for "the disputed object" between January 17 and January 24, 1980; Mosher's passport shows that he was not in Hong Kong during that period. Mosher's version of what transpired at a meeting with a U.S. consular official in Canton is essentially corroborated by the official, who also disputes Miss So's assertion that she was present. There are inconsistencies between her initial written statement and statements made by her in subsequent phone conversations with university officials that further impair her credibility, even though, for the most part, they pertain to relatively minor matters. For example, she initially stated that she had to photograph documents for Mosher in the sunlight because the camera he was then using had no flash equipment. According to Mosher, she never did any photography for him, and his camera, a Canon, had flash equipment that he used to make slides indoors. In a phone conversation on October 21, 1984, she changed her story, recalling that Mosher had used flash equipment to take pictures in a Chinese library they had visited. That same library had also figured in her original statement; in it, she claimed that while engaged in photographing documents in the sunlight she turned to find Mosher breaking into the library to obtain access to documents. Vehemently denied by Mosher, this is only one of several allegations as to which there is only her word against his.

Kennedy admits that, as a result of the new evidence, he could no longer find her story "strongly persuasive"; although he believed that much of it was true, he could not be "sufficiently certain of which parts are correct." In order to uphold the termination, he had little choice but to ferret out Mosher's every transgression and half-

[2] The Free Press, $17.95.

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truth, and to search for evidence to rehabilitate his star witness. Despite assiduous efforts, which included hiring an investigator in Hong Kong, he managed to detect only one outright lie told by Mosher. While damaging, it is only tangentially related to any of the charges: Its principal importance is that it apparently lends credence to Miss So.

In accounting for his grant expenditures, Mosher submitted a sales receipt for a Nikon camera and related equipment costing about $2,000 and purchased in Hong Kong in April 1980 with funds authorized for the purpose. Despite its requests, and after first indicating that he would do so, Mosher has refused to turn the camera over to the university, asserting that it belongs to him, and in any event, has been in Taiwan, broken, since before the proceedings began. Until a handwriting expert hired by the university discovered that the receipt was in Mosher's handwriting, he had insisted, most recently at a May 1985 meeting with Kennedy, that it was the original receipt; confronted with the evidence, he explained that he had lost the original receipt in the course of his travels, and without informing the university, substituted a duplicate reconstructed from memory to comply with accounting requirements. Neither failure to return the camera nor falsification of accounts was among the charges levied against him. The forgery, however, lends credence to Miss So's expressed belief that he submitted false receipts. It does not, however, prove her underlying charge that he never bought the camera and instead used the funds for illegal purposes. Kennedy does not contend that it does, but he strongly suggests that Mosher's failure to return the camera virtually compels the inference that he never had it. Upon analysis, the evidence seems a good deal less than compelling.

The camera was never the subject of any charges, so Mosher's failure to return it took on significance only when Kennedy proved, sometime in the late spring or early summer of 1985, that the receipt was false. By then, according to Mosher's testimony at his February 1983 termination hearing, it had been in Taiwan for at least two and a half years, and, in the interim, he would have had little incentive to retrieve it. (Mosher now lives in California.) Kennedy's letter to Mosher advising him of the discovery is not quoted, but Mosher's September 21 response as quoted gives no hint of the realization that it might be crucial to his credibility to produce it. In any event, Kennedy gave him no opportunity to do so; a week after obtaining Mosher's admission he released his letter. Yet Mosher's explanation for the duplicate receipt is credible, and Kennedy admits that some of the photographs he submitted appear to have been taken with specialized equipment. Furthermore, the discovery does not appreciably enhance the credibility of Miss So. For one thing, its relevance to the charges is minimal. For another, familiarity with her ex-husband's less than meticulous accounting practices—his advisers had to remind him to submit his accounts—could have enabled her to make a shrewd guess. (The letter indicates that she merely voiced the suspicion that he had submitted false receipts, rather than flatly asserting that he had done so.)

The Kennedy letter, in the end, is considerably more damaging to Stanford than to Mosher, because it reveals that more than two years after his termination the university was still searching for evidence against him. But the letter provides an even more damaging insight into the case whose significance Kennedy seems not to appreciate. He states that the faculty committee considering the case found Miss So's evidence highly persuasive "when aggregated with" Mosher's "lack of candor" and the fact that, in the main, her evidence was controverted only by his denials. In other words, Mosher was apparently required to disprove his ex-wife's allegations. The obvious implication is that, from the outset, the burden of proof was borne by Mosher, not by his accusers.

No smoking gun is likely to be found, but those who can remain convinced after reading Kennedy's letter that Mosher's termination was unrelated to Chinese pressure are likely purchasers for an East Coast bridge that periodically comes on the market. Nor does Kennedy help matters with his concluding comment that he hopes Mosher will accept the decision as "one arrived at with concern and good faith." Unfortunately, he and the university have been a little too obviously clever in confronting Mosher with an almost insoluble dilemma: A lawsuit that might eventually restore his good name and academic standing will also burden him with the onus of endangering others, for it will necessarily result in the charges becoming public; on the other hand, his failure to bring legal action will appear to lend credence to the aspersions cast on his character by the university, which was careful to stick to innuendo, and eschew outright misrepresentation.

So much for ethics in academia. □

Paul A. Rahe

CHURCH AND STATE

Jefferson, Madison, and 200 Years of Religious Freedom.

Two summers ago, on the morning after he had accepted the Republican nomination, Ronald Reagan delivered a controversial speech at an ecumenical prayer breakfast. "The truth is," he told the assembled multitude,

> politics and morality are inseparable. And as morality's foundation is religion, religion and politics are necessarily related. We need religion as a guide; we need it because we are imperfect. And our government needs the church because those humble enough to admit they are sinners can bring to democracy the tolerance it requires in order to survive. We establish no religion in this country nor will we ever; we command no worship, we mandate no belief. But we poison our society when we remove its theological underpinnings; we court corruption when we leave it bereft of belief.

A little less than a year later, Secretary of Education William J. Bennett lashed out at the Supreme Court. He termed "terrible" two recent court rulings—one that barred public schools from discreetly encouraging religious belief by setting time aside for silent prayer, and another that prohibited public schoolteachers from conducting remedial classes in parochial schools. Bennett even suggested that the court's decisions reflect "a hostility toward religion." Within a week, Attorney General Edwin Meese III joined the assault, arguing that "strict neutrality between religion and irreligion would have struck the founding generation as somewhat bizarre." This fall Justice William J. Brennan replied. It is "little more than arrogance," he told a Washington audience, to believe that anyone can "gauge the intent of the Framers. . . . We current justices read the Constitution in the only way we can: as twentieth-century Americans."

This month marks the bicentennial of Virginia's adoption of Thomas Jefferson's Bill for Establishing Religious Freedom, and the problem of church and state is back in the news. There can be no more appropriate time for re-examining the words and deeds of the Founding Fathers and for determining whether the arguments made by our current President and the charges lodged by the leading figures within his Administration are just or not. For nearly forty years, our policy has been guided by Supreme Court Justice Hugo Black's opinion that "neither a state nor the Federal Government" has the constitutional right to "pass laws which aid one religion, aid all religions, or prefer one religion over another" and that, consequently, "no tax in any

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amount, large or small, can be levied to support any religious activities or institutions." It matters a great deal whether he was right or wrong.

I

Not long before the fiftieth anniversary of the adoption and signing of the American Declaration of Independence, Thomas Jefferson received an invitation, asking that he journey from Monticello to Washington, D.C. to join in the festivities honoring the event in which he had long before played so prominent a part. He was sadly unable to attend. In fact, like John Adams, he died on the day of the great celebration —and he was already quite ill when he wrote to decline the organizers' invitation. But, though weakened by disease, the aged statesman marshaled his meager resources; and, in what he knew would be his last surviving letter, he wrote of the choice made on the 4th of July, 1776:

> May it be to the world, what I believe it will be, (to some parts sooner, to others later, but finally to all,) the signal of arousing men to burst the chains under which monkish ignorance and superstition had persuaded them to bind themselves, and to assume the blessings and security of self-government. That form which we have substituted, restores the free right to the unbounded exercise of reason and freedom of opinion. All eyes are opened, or opening, to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God.

As Jefferson's carefully contrived, final political testament indicates, the rejection of revealed religion as a standard for the conduct of political affairs was the cornerstone of the world's first modern republic. It is no wonder, then, that the great statesman wanted to be remembered not just as "Author of the Declaration of Independence" and as "Father of the University of Virginia," but also as "Author of the Statute of Virginia for Religious Freedom."

As the long and sordid history of sectarian strife and religious persecution makes clear, the Christian faith has not always been a religion of private conscience. To be sure, Christianity was never, like traditional Judaism and Islam, a religion of ritual and law, dictating the political enforcement or encouragement of an entire way of life; it was always first and foremost a religion of faith, and from the outset it recognized a distinction between spiritual and temporal concerns and therefore between the City of God and the city of man. This notwithstanding, Christianity was, in the most important respect, no less and perhaps even more political than its competitors. For the Christian, outward conformity was insufficient. Salvation depended on faith; heresy entailed damnation; and the church had a perfectly legitimate interest in directing and controlling the minds of men. Charity required no less. It was this virtue that Torquemada and the other officials of the Inquisition were practicing when they executed heretics and employed torture in order to enforce the true faith.

There was nothing peculiar about the outlook of Torquemada and his associates; the doctrine that inspired the Inquisition was shared by the vast majority of those who had broken with Rome. Virtually no one supposed sincerity an adequate substitute for rightness of belief as a prerequisite for salvation. Accordingly, it makes little difference whether one consults Augustine and Aquinas or Luther and Calvin; the Catholic divines and their Protestant successors were in agreement on the essential point: Within the Christian dispensation, all temporal power is ultimately justified by the temporal ruler's support for those propagating the true faith. Given the prospect of eternal damnation, the concerns of this world can hardly be compared to those of the world to come. Indeed, no temporal concern can ever be as important as the saving of souls. Those horrified by the sectarian strife and religious persecution so evident in India, Sri Lanka, Iran, Lebanon, and elsewhere in the Third World would do well to keep Northern Ireland in mind; except in very recent times, Christianity has been pre-eminent as a persecuting religion. If truth be told, it took a reformation far more profound than the one carried out by Luther, Calvin, and their many disciples to render Christians willing to accept in their midst and tolerate as equals those they deemed guilty of heretical belief.

Thomas Jefferson could justly take pride in his own contribution to the reformation that eliminated the circumstances which had "made of Christiandom a slaughterhouse." When the Virginia Assembly passed his Bill for Establishing Religious Freedom, it made a decision of profound political importance: It publicly endorsed John Locke's claim that religion is essentially a private affair and that, except where religious sects preach sedition or religious disputes threaten public disorder, state interference favorable to one sect or another is contrary to natural right. The study of history had taught Jefferson what the success of the American experiment could easily cause us to forget: Where a particular revealed religion is firmly and legally established, it is difficult, if not impossible, to found and maintain a limited government—restricted to the end of protecting the citizens' inalienable, natural right to life, liberty, and the pursuit of happiness. Eventually, even in Puritan Massachusetts, the citizens came to realize that the establishment of religion was incompatible with the secular character of America's republican regime.

II

In light of the central importance of the theologico-political question for the foundations of American government, it is a bit surprising that religion and sectarian strife are hardly mentioned in *The Federalist*. In that work, James Madison openly acknowledges that "the most frivolous and fanciful distinctions" can generate faction, and he specifically mentions that "a zeal for different opinions concerning religion" has at times "divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other, than to co-operate for their common good." This much he says, but he lays little stress on the point and quickly moves on. One might be tempted to suppose that he thought the religious issue a minor concern.

That would be an error. On the floor of the Constitutional Convention, where the delegates conducted their discussions in private, the Virginian could afford to be a bit more frank than in a newspaper series specifically designed to promote the Constitution's ratification in a state dominated by its opponents. When contemplating the role played by "conscience" in restraining men from injustice, he observed that it "is known to be inadequate in individuals" and that "in large numbers little is to be expected from it." "Besides," he added, "Religion itself may become a motive to persecution and oppression." This remark, though telling, might still lead one to underestimate the depths of Madison's concern. Fortunately for us, he could afford to be perfectly blunt in letters to Thomas Jefferson. In one, Madison rehearsed once again the arguments he had made in the Convention, emphasizing the weakness of religious conscience as a restraint. "Enthusiasm" might sometimes give to conscience greater strength, he noted, but this was "only a temporary state of Religion." And in any case, he concluded, such enthusiasm "will hardly be seen with pleasure at the helm. Even in its coolest state, it has been much oftener a motive to oppression than a restraint from it."

On a matter this delicate, prudence generally dictated reticence in public—but not always. Just two years before the Federal Convention, Madison had circulated a petition throughout his native Virginia advocating the disestablishment of the Episcopalian Church. In that petition he spoke boldly of the "torrents of blood" that had been "spilt in the old world, by the vain attempts of the secular arm, to extinguish religious discords, by proscribing all difference in religious opinion." Without question, Madison was as aware as any of his contemporaries of the wars of religion that had convulsed both England and the continent less than a century before. But, in fact, the chief architect of the American Constitution does seem to have supposed that the United States would be relatively free from the peril of sectarian strife. In this subject, David Hume had been among his instructors.

Hume had pointed out that "parties from *principle*, especially abstract speculative principle, are known only to modern times," and he had traced that "extraordinary and unaccountable *phenomenon*" to the peculiar character of the Christian faith: to the independent authority that it vested in the clergy, and to the systematic theology—born of the awkward marriage of revelation with philosophy—that distin-

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guished it from all other religions, even from Islam. Throughout much of Europe, factions of this sort might still pose the gravest of difficulties. But fortunately, in England, the force of sectarian zeal had gradually abated. In that happy island, Hume was pleased to report, time had all but eliminated what he called the "ecclesiastical parties." As he put it, "Liberty of thinking, and of expressing our thoughts, is always fatal to priestly power, and to those pious frauds, on which it is always founded." As a consequence, "the progress of learning and liberty" in the first half-century following the Glorious Revolution had brought "a sudden and sensible change in the opinions of men."

> Most people, in this island, have divested themselves of all superstitious reverence to names and authority: The clergy have much lost their credit: Their pretensions and doctrines have been ridiculed; and even religion can scarcely support itself in the world. The mere name of *king* commands little respect; and to talk of a king as GOD's viceregent on earth, or to give him any of those magnificent titles, which formerly dazzled mankind, would but excite laughter in every one. . . . Had men been in the same disposition at the *revolution*, as they are at present, monarchy would have run a great risque of being entirely lost in this island.

At the time when the Revolution took place in America, the citizens of the thirteen colonies were in the very disposition that Hume had mentioned, and that fact helped account for their adoption of republican government—and for Madison's sanguine outlook regarding religious convulsions as well. Just three weeks before the Continental Congress approved Thomas Jefferson's Declaration of Independence, Madison (already an intellectual force at the age of twenty-five) had succeeded in persuading the Virginia Convention to add to its Bill of Rights a clause acknowledging that "all men are equally entitled to the free exercise of religion, according to the dictates of conscience." With regard to sectarian conflict, he had reason for hope.

Madison had still other grounds for optimism of a sort that Hume might well have disputed. In his magisterial *History of England*, the Scottish philosopher had argued that "the interested diligence of the clergy" was a condition that "every wise legislator will study to prevent." Where the civil magistrate was absolutely neutral in sectarian matters, the competition of the preachers would inevitably infuse into religion "a strong mixture of superstition, folly, and delusion."

> Each ghostly practitioner, in order to render himself more precious and sacred in the eyes of his retainers, will inspire them with the most violent abhorrence of all other sects, and continually endeavor, by some novelty to excite the languid devotion of his audience. No regard will be paid to truth, morals, or decency, in the doctrines inculcated. Every tenet will be adopted that best suits the disorderly affections of the human frame.

Only where there was an official religious establishment would the zeal of the clergy be greatly reduced. "The most decent and advantageous composition" that the authorities can make "with the spiritual guides is to bribe their indolence, by assigning stated salaries to their profession."

Madison disagreed. As a young Princeton graduate, still very much under the influence of the pious Dr. Witherspoon, he had distrusted "encourage[r]s of free enquiry." In a letter to a close friend, he had called them destroyers of "the most essential Truths" and "Enemies to serious religion." Yet, even then, Madison had openly wondered whether the support of civil society required "an Ecclesiastical Establishment" or whether this might not, in fact, be "hurtful to a dependant State"; and, within a matter of weeks, he wrote back to that same friend to suggest that if his own sect

> the Church of England had been the established and general Religion in all the Northern Colonies . . . slavery and Subjection might and would have been gradually insinuated among us. Union of Religious Sentiments begets a surprising confidence and Ecclesiastical Establishments tend to great ignorance and Corruption[—]all of which facilitate the Execution of mischievous Projects.

This conviction, firmly held and vigorously defended, explains why Madison expended great effort at the Virginia Convention in a futile attempt to write into that fledgling state's Declaration of Rights a clause stipulating "that no man or class of men ought, on account of religion to be invested with peculiar emoluments or privileges; nor subjected to any penalties or disabilities unless under colour of religion, any man disturb the peace, the happiness, or safety of society." A decade later—in January 1786—he would finally succeed in securing disestablishment, this time by steering Jefferson's Bill for Establishing Religious Freedom through the Virginia legislature; and, in 1788, he was prepared to argue that the very presence of a great "multiplicity of sects" was "the best and only security for religious liberty in any society." This argument Madison owed to Hume's close friend and disciple Adam Smith.

In *The Wealth of Nations*, Smith had quoted Hume's discussion of this problem at length. In making his reply, he readily confessed that "the interested and active zeal of religious teachers can be dangerous and troublesome," but he argued that this condition would obtain "only where there is, either but one sect tolerated in the society, or where the whole of a large society is divided into two or three great sects."

> That zeal must be altogether innocent where the society is divided into two or three hundred, or perhaps into as many [as a] thousand sects, of which no one could be considerable enough to disturb the publick tranquillity. . . . The teachers of each little sect, finding themselves almost alone, would be obliged to respect those of almost every other sect, and the concessions which they would mutually find it both convenient and agreeable to make to one another, might in time probably reduce the doctrine of the greater part of them to that pure and rational religion, free from every mixture of absurdity, imposture, or fanaticism, such as wise men have in all ages of the world wished to see established.

No one supposed that the federal government, much less the states, should be neutral between believers and nonbelievers.

To support his argument, Smith pointed to Pennsylvania where the establishment of full religious freedom had been "productive of this philosophical good temper and moderation."

Smith's argument had a considerable effect on Madison. According to his neighbor and biographer William Cabell Rives, Madison was accustomed in his later years to quote often and "with great approbation" Voltaire's claim that "if one religion only were allowed in England, the government would possibly be arbitrary; if there were but two, the people would cut each other's throats; but, as there are a multitude, they all live happy and in peace." In 1787, prudence dictated that Madison be more reticent than Hume, Smith, and Voltaire. By that time, he had himself become an encourager "of free inquiry" and an enemy to what the majority of his contemporaries would have considered "serious religion." Political action required discretion. The divines influential in the various states would not have looked kindly on the proposed Constitution had they recognized that it embodied a strategy for reducing the various sects to a "pure and rational religion" of the sort favored by "wise men"—even in wholly pagan times. His reticence notwithstanding, Madison's purpose and that evidenced by Hume, Smith, and Voltaire were one and the same.

On the question of religion, Thomas Jefferson was fully in agreement with his friend James Madison. He openly asserted that "difference of opinion is advantageous in religion" and that "the way to silence religious disputes is to take no notice of them." Accordingly, he decided to exclude all but natural theology from the curriculum of the University of Virginia; and, when this stirred opposition in religious circles, he added an amendment to his original plan, inviting the various sects to establish schools of divinity on the confines of the university, so that the candidates for the clergy could mingle with one another and draw sustenance from an aggressively secular curriculum informed by the rational precepts of the Enlightenment. As he put it in a letter to a prominent advocate of Unitarianism (which was, not surprisingly, the one sect he looked on with favor), "By bringing the sects together, and mixing them with the mass of other students, we shall soften their asperities, liberalize and neutralize their prejudices, and make the general religion a religion of peace, reason, and morality."

The two great statesmen from Virginia had one additional reason for expecting that their stratagem would work. As they knew, America was destined to be a commercial republic, and Montesquieu had once intimated that such a regime had little to fear from religious zeal. As he put it, the best way "to attack a religion is by favor, by the commodities of life, by the hope of wealth; not by what drives away, but by what makes one forget; not by what brings indignation, but by what makes men lukewarm—so that other passions act on our souls, and those which religion inspires are silent." Once the clergy were deprived of the artificial support provided by religious establishment, the presence of a multiplicity of sects, supplemented by trade's gentle erosion of religious enthusiasm, would be enough to reduce priestly influence and to contain clerical ambition. Eventually, the nation's Christians might even come to acknowledge that sincere—as opposed to true—belief is itself sufficient for salvation.

For Madison and for Jefferson, freedom of conscience was as much a matter of policy as a matter of principle. The author of the Declaration of Independence and the father of the American Constitution were Deists

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who looked for moral and political guidance not to the Holy Scriptures, but to the "Laws of Nature and of Nature's God." If their stratagem was successful, their fellow citizens would someday be unable to distinguish the God of Abraham, Isaac, and Jacob from the God of the philosophers; and when that day came the danger posed by parties of principle would disappear altogether. Madison spoke with considerable confidence when he reported to Jefferson in January 1786 that "the enacting clauses" of the Bill for Establishing Religious Freedom had "passed without a single alteration." He added as an afterthought: "And I flatter myself [they] have in this Country extinguished for ever the ambitious hope of making laws for the human mind."

III

Unfortunately, one grave problem remained: Commerce was Janus-faced. As Jefferson had occasion to remark, the wealth that tempted men to neglect the world to come could all too easily make them "forget themselves but in the sole faculty of making money" and thereby prevent them from "uniting to effect a due respect for their rights." Many of Jefferson's contemporaries thought religion necessary to offset the influence of commerce: Only faith could stop the citizens from losing themselves in present pleasure, focus their attention on the future, and render them open to the counsels of prudence and duty. Among those espousing such opinions was an anonymous church-goer who wrote an extraordinary essay for the *Virginia Independent Chronicle* not long after the adoption of Jefferson's Bill for Establishing Religious Freedom:

> Though the different states into which mankind are formed, have, generally speaking, enacted laws to restrain and punish enormities, to countenance virtue and discourage vice; yet the most approved and wisest legislators in all ages, in order to give efficacy to their civil institutions, have found it necessary to call in the aid of religion; and in no form of government whatever has the influence of religious principles been found so requisite as in that of a republic. It requires but a slight degree of observation to be convinced that mankind require the awe of some power to confine them within the line of their duty.

With similar concerns in mind, Patrick Henry and Richard Henry Lee had fought disestablishment, and Samuel Adams had expressed the hope that Boston would become "a Christian Sparta." Massachusetts was alone in maintaining an established church until 1833, but in the eighteenth century views akin to those expressed by these stalwarts of the Revolution were remarkably widespread. In the First Congress, when the House Select Committee proposed that the First Amendment specify that "no religion shall be established by law, nor shall the equal rights of conscience be infringed," Benjamin Huntington of Connecticut rose to object to language that might seem to "patronize those who professed no religion at all." When another Congressman argued that the wording "might be thought to have a tendency to abolish religion altogether," James Madison replied that he understood the clause to mean that "Congress should not establish *a* religion, and enforce the legal observation of it by law." The amendment, as it was worded in the end, was specifically designed not just to preclude a federal establishment of religion, but also to protect the existing state establishments from federal interference: It denied Congress the right to make any law "respecting"—i.e., either for or against—"an establishment of religion."

Jefferson and Madison were both prepared to set aside an hour in the day when each of the students at the University of Virginia would be free to attend services at the chapel of his own denomination and "expected" to do so.

Many of the first American state constitutions included bills of rights, and the majority of these included a statement regarding the props necessary if republican government was to survive. For example, the Virginia Declaration of Rights—the earliest of these documents—denied that "free government, or the blessings of liberty" could be "preserved to any people, but by a firm adherence to justice, moderation, temperance, frugality and virtue." In similar fashion, the Massachusetts Bill of Rights contended that "a constant adherence to . . . piety, justice, moderation, temperance, industry, and frugality are absolutely necessary to preserve the advantages of liberty and to maintain a free government." The emphasis on piety in the latter document and its absence in the first no doubt reflect the fact that religious belief was a stronger force among the descendants of the Puritans in New England than among their Anglican brethren in Virginia. It would, however, be a mistake to suppose that any of Virginia's leading men thought piety simply unnecessary and superfluous.

Consider the case of George Washington. In his Farewell Address, the great man directly addressed the question. "Of all the dispositions and habits which lead to political prosperity," he contended,

> religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness—these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and cherish them. . . . Let it be simply asked, Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of a peculiar structure, reason and experience forbid us to expect that national morality can prevail in exclusion of religious principle.

In making this claim, Washington was merely stating the common sense of the matter. The Northwest Ordinance was passed by the last Continental Congress. The First Congress to meet under the new Constitution, the very body that drafted the First Amendment, subsequently adopted an act for the Ordinance's enforcement. No one in either Congress—not even James Madison—argued that it was in any way improper for one of the new nation's organic laws to justify the establishment of "schools and the means of education" within the Northwest Territory on the ground that "religion, morality, and knowledge" are "necessary to good government and the happiness of mankind." In 1787 and for a long time thereafter, Americans considered that claim utterly uncontroversial. On this point, the most vigorous proponents of religious disestablishment were in agreement with their opponents. No one supposed that the federal government, much less the states, should be neutral between believers and nonbelievers.

It might be tempting to cite Thomas Jefferson to the contrary. For instance, in defending his Bill for Establishing Religious Freedom, the Virginian did indeed betray a certain indifference. "It does me no injury for my neighbor to say there are twenty Gods, or no God," he contended. "It neither picks my pocket nor breaks my leg." In general, Jefferson was persuaded that "he is less remote from the truth who believes nothing than he who believes what is wrong," and he rejoiced in the fact that the Virginia Statute was "meant to comprehend, within the mantle of its protection, the Jew and the Gentile, the Christian and Mahometan, the Hindoo, and Infidel of every denomination." These pronouncements are important, but it would be a serious mistake to give them excessive weight. Like the Declaration of Independence, Jefferson's Bill took as its premise the existence of an "Almighty God" capable of endowing mankind with inalienable rights and of creating "the mind free." In his First Inaugural, he publicly celebrated the fact that his countrymen acknowledged and adored "an overruling Providence" and were "enlightened by a benign religion, professed indeed, and practiced in various forms, yet all of them inculcating honesty, truth, temperance, gratitude, and the love of man." In his Second Inaugural, he invoked "the favor of that Being in whose hands we are, who led our forefathers, as Israel of old, from their native land, and planted them in a country flowing with all the necessaries and comforts of life." If Jefferson lent his authority as President to the cause of religious faith, it was because he had good reason to welcome the influence of religion once it was somehow deprived of theocratic ambition and rendered benign.

Prior to his presidency, in the very year in which Virginia had adopted his famous Bill, Jefferson published a book asserting that "the only firm basis" for "the liberties of a nation" is "the conviction in the minds of the people that these liberties are of the gift of God" and "not to be violated but with his wrath." In making this assertion, Jefferson had slavery in mind. He already then knew perfectly well what he would later put into words: that, if the blessings of political liberty were to be bestowed on mankind, "all" would have to "bear in mind this sacred principle that though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable." If this principle was to prevail, he was persuaded, Americans would have to be constantly reminded "that the minority possess their equal rights, which equal law must protect, and to violate would be oppression." As he recognized, a nation of nonbelievers, contemptuous of the very notion of divine wrath, was far less likely to keep the rights of the minority in mind than men of religious faith. Not many of those who denied the very existence of a divine Being could be expected to honor "the Laws of Nature and of Nature's God," particularly when applied to men and women of a different race.

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Jefferson was a bitterly anticlerical Deist, prepared to sniff the approach of religious tyranny on every new breeze and inclined to argue that the First Amendment had built "a wall of separation between church and State"—but he was an eloquent proponent of religion as well. In separating church and state, the Statute of Virginia for Religious Freedom was far more vigorous than the First Amendment. It not only barred the establishment of religion and protected its free exercise: It asserted that "to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical"; and it specified "that no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever." It even stipulated "that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities." Its author can hardly have doubted that his Bill had done for his native state what, he claimed, the First Amendment had done for the federal government—but he clearly did not believe that either of the two laws designed to build "a wall of separation between church and State" precluded governmental policies encouraging religious faith.

In particular, Jefferson saw nothing unlawful, morally wrong, or even imprudent in having elementary students in the public schools he proposed establishing in Virginia devote a certain amount of time to religious pursuits as long as "no religious reading, instruction, or exercise shall be prescribed or practiced inconsistent with the tenets of any religious sect or denomination." Similarly, Jefferson and Madison were both prepared to set aside an hour in the day when each of the students at the University of Virginia would be free to attend services at the chapel of his own denomination and "expected" to do so. These men were willing to advocate such policies for two reasons: They were persuaded that the multiplicity of sects in America rendered religion harmless, and they suspected that their countrymen would be quite likely to be guided in their actions by their own base desires if they were deprived of religious instruction regarding their duties to their fellow men. The persistence in Virginia of slavery, a tyranny far worse than anything the Americans had suffered under British dominion, was a disturbing sign that the danger was only too real. Mindful of this fact, the two statesmen took it for granted that even the "Infidel" would recognize the prudence of inculcating religious belief and consent to the expenditure of taxes to that end.

The favorable attitude evidenced by the American Founders regarding the public encouragement of religious faith persisted, and, until very recently, it prevailed even within circles widely suspected of agnosticism. When Alexis de Tocqueville visited the United States some fifty years after the British had recognized the independence of their former colonies, he found that "religion in America takes no direct part in the government of society." He nonetheless regarded it as the preeminent American political institution—"for if it does not impart a taste for freedom, it facilitates the use of it."

> Indeed, it is in this same point of view that the inhabitants of the United States themselves look upon religious belief. I do not know whether all Americans have a sincere faith in their religion—for who can search the human heart?—but I am certain that they hold it to be indispensable to the maintenance of republican institutions. This opinion is not peculiar to a class of citizens or to a party, but it belongs to the whole nation and to every rank of society.

Tocqueville could speak with such confidence on the matter because he had interviewed those associated with the various societies that had been organized for the propagation of the Gospel in the new territories to the West. "If you converse with these missionaries of Christian civilization," he reported, "you will be surprised to hear them speak so often of the goods of this world, and to meet a politician where you expected to find a priest." In the course of the discussion, "they will tell you that 'all the American republics are collectively involved with each other; if the republics of the West were to fall into anarchy or to be mastered by a despot, the republican institutions which now flourish upon the shores of the Atlantic Ocean would be in great peril. It is therefore our interest that the new states should be religious, in order that they may permit us to remain free.' " These early Americans saw in the virtues and moderation fostered by religion a defense against the temptations that give rise to tyranny and disorder as well as a bulwark against the inattention to long-term interests that causes men to neglect the defense of their rights. "How is it possible," they led Tocqueville to ask, "that society should escape destruction if the moral tie is not strengthened in proportion as the political tie is relaxed?"

IV

Reagan, Meese, and Bennett are clearly right. Justice Brennan's repudiation of the very notion of attempting to interpret the Constitution in light of the intentions of those who framed its preamble, articles, and amendments is a tacit acknowledgment that he and at least some of his colleagues have consciously and deliberately substituted their own preferences and prejudices "as twentieth-century Americans" for the fundamental law of the land. In usurping a legislative function inconsistent with that respect for the consent of the people that is the very foundation of our regime, these men have jettisoned the profound understanding of human nature and politics that guided this country's founding generation, and in its place they have embraced the vagaries of current intellectual fashion. Perhaps in no other sphere has their abuse of office had a more profound and damaging effect than in the field of religion.

Just under forty years ago, the United States Supreme Court took a wrong turn. When Justice Black argued that the First Amendment precludes the federal government from passing laws giving preference to one religion over another, he was on firm ground. Many of those familiar with the intricacies of constitutional law would contend that, when Black supposed that the Fourteenth Amendment had somehow repealed the First Amendment's denial to the federal government of the right to interfere with state establishments of religion, he stepped into quicksand. But no one need doubt that, when the justice made the doctrinaire claim that "neither a state nor the Federal Government can" lawfully "aid all religions" or levy a "tax in any amount . . . to support any religious activities or institutions," he had no ground to stand on at all. As their actions make clear, not even James Madison and Thomas Jefferson, the two members of the founding generation most sensitive to the danger posed by religious establishments, would have accepted so broad an assertion. Though they favored the construction of "a wall of separation between church and State," they never supposed that our various governments should treat religion as a form of leprosy.

It is to the credit of our current President that he has reminded us of what the Founding Fathers all knew: We really do risk poisoning our society when we remove its theological underpinnings, and we really do court corruption when we leave that society bereft of belief. It would be excessive to attribute all our ills to the gradual erosion within our society of religious faith and to the liberal sects' subsequent mercenary abandonment of the stern moral code that even the Unitarians were once wont to preach. And yet, in isolation from these two closely related developments, it is hard to explain the collapse of the American family, the virtually universal abuse of dangerous drugs, the prevalence of violent crime, and the willingness of an increasing number of soldiers, sailors, FBI agents, and other public servants to betray their country for kicks and cash. In the 1980s, perhaps even more than in the 1780s, Americans stand in danger of forgetting themselves in the pursuit of pleasure and in the "faculty of making money."

The attitude that has infected the Supreme Court, most liberal opinion-makers, and many of their conservative brethren for the last thirty-eight years rests on confusion. To be sure, the American regime is founded on a repudiation of divine right; and, for its freedom from religious strife, it looks initially to the disestablishment of religion and then to the moderation of religious passion fostered by the nation's commercial ethos and encouraged by the very multiplicity of its religious sects. But, for its stability, that regime relies on the virtues of its citizens—on the self-discipline, the self-restraint, and the sense of public and private duty that only religious faith can ordinarily instill. And, for its principles, it looks to a Creator, an Almighty God, capable of endowing men with inalienable rights and of creating the mind free. Nothing has happened since Tocqueville visited these shores to suggest that George Washington, Alexander Hamilton, Thomas Jefferson, James Madison, and their successors were wrong in supposing that the federal and state governments should be strictly neutral regarding the disputes between the various religious sects, but favorable in general to religious belief. As they recognized, to be neutral on this last question is to be indifferent to the survival of the regime. □

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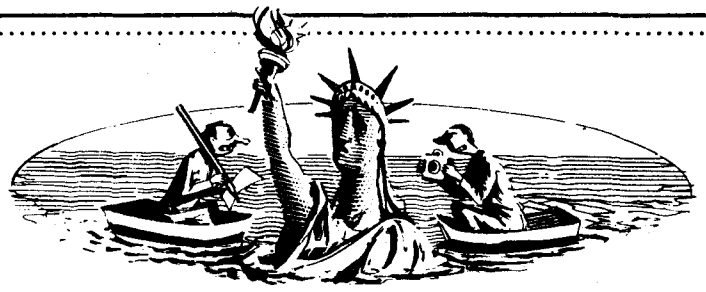


A TYRANNY OF EXPERTS

by John O'Sullivan

Am I unduly fastidious? I know only that, despite my firm monarchist sympathies, I found it difficult to join full-heartedly in the euphoric celebrations over the arrival of Prince Charles and Princess Diana, when, on the very same day, the *Marshal Konev* was sailing into the Gulf of Mexico, transporting Miroslav Medvid to the Gulag under U.S. Coast Guard protection.

There may also have been a less creditable motive for my lack of proper enthusiasm. The arrival of British royals in the U.S. tends to stimulate American journalists to windy sociological reflections on British society, the British class system, the decline of British power, and other such topics on which they (a) draw their evidence principally from "Masterpiece Theatre," and consequently (b) get everything wrong. If you want to know the effect that this produces in Brits, just think how you felt when you last heard an Englishman attempting to imitate an American accent.

From these strictures, I must exempt Joseph Kraft's syndicated column "The Perils of Overrating Britain" which ran in, among other newspapers, the *New York Post*. It offered a really original view of the Anglo-American special relationship and of its present significance in American life and culture. I disagree with much of Mr. Kraft's analysis and suspect that it was in part an understandably jaundiced reaction to all the hoopla and cap-throwing of the royal visit. But it contains real meat to chew on.

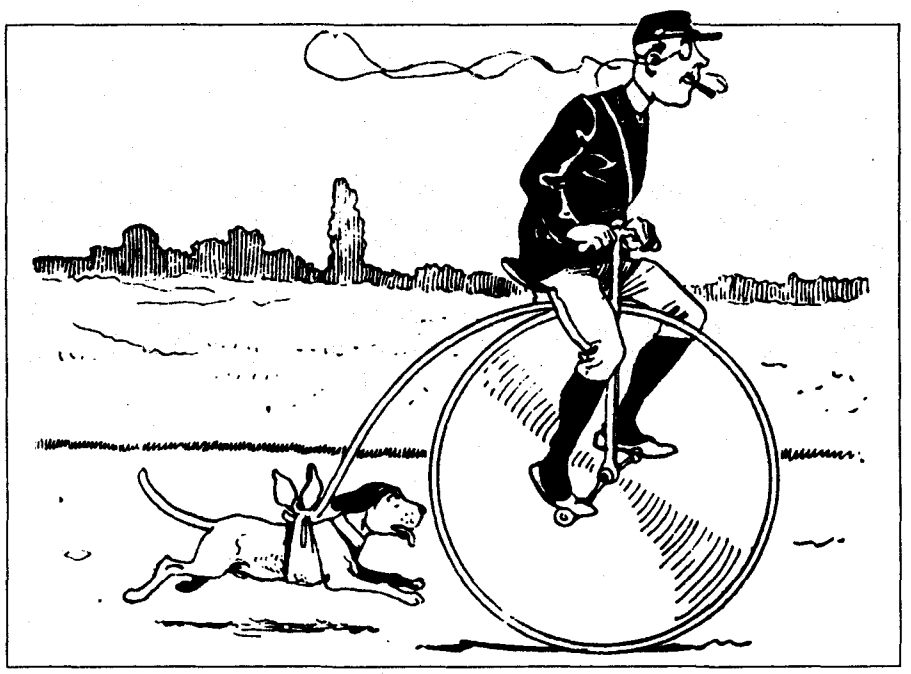
He advances two main arguments. The first—that British power has declined since 1945—is incontestable. But Mr. Kraft goes overboard in presenting this decline as something which the U.S. viewed reluctantly and which forced American administrations willy-nilly to pick up the pieces. I quote: "Defaults by Britain account for much of the foreign policy trouble experienced by the U.S. in the postwar period. . . . This country had to pick up the British baton in Northern Asia, the South Pacific, the Indian subcontinent, the Persian Gulf, the Middle East and the Eastern Mediterranean."

Let me concede to Mr. Kraft that the contraction of British power was inevitable after 1945 for the reason that an island of 56 million people cannot sustain a world role when superpowers with continental resources and populations of several hundred millions are in the ring. Let me further concede that, because of mistaken domestic policies (of which more later), this contraction has been more rapid and extensive than population and resources alone dictated. And, finally, prompted by "the power of facts," the British did indeed withdraw from large areas of the globe and handed over their former responsibilities to the U.S., beginning with Greece in 1948.

But the first point to make about that withdrawal is that, with the exception of the precipitate scuttle from Aden, it was a well-managed one. The British handed over power peacefully to (initially) stable governments and in the process won several major guerrilla wars—in the Malayan and Kenyan emergencies and against the Indonesians in Malaysia. They landed few disasters in the American lap—compare the British withdrawal from Malaya, Malaysia, and Singapore with the French record in Indochina in terms of consequences for the U.S.—and that last little colonial war against Indonesia, about which Washington was unenthusiastic, had important favorable geopolitical consequences since it was one of the factors that brought about the coup against Sukarno and placed Indonesia firmly in the Western camp.

Furthermore, it was U.S. policy for most of the relevant period to push Britain into retreating from its traditional spheres of interest even faster. Anti-colonialism was an important strand of U.S. foreign policy outside Europe until the mid-sixties when the U.S. itself discovered the difficulties of dealing with the Third World and the advantage of having a surrogate in places like the Gulf and Belize. It was also a bipartisan policy. Roosevelt pressed Churchill to withdraw from India. Eisenhower successfully sought to replace Britain and France in the Middle East. And the Kennedy Administration pushed for more rapid British decolonization in Africa. Greece illustrates the point neatly. There would have been no responsibilities to hand over to Truman in 1948 if Churchill had not ignored Roosevelt's anti-colonialist suspicions four years earlier and intervened in Athens to prevent a Communist takeover.

Well, there it is. All water under the bridge, chaps, and no hard feelings on our side. Still, it is a little hard to be reproached for irresponsible scuttling by the very people who packed our trunks, booked the airline tickets, and assured us that we'd be far better off in a home.



It is Mr. Kraft's second point, however, which is most original and which explains his passionate irritation with the Britain of "Chuck and Di." He sees the British aristocracy as having rented itself out to the Reagan Administration as moral-cum-symbolic justification for the new cruder aristocracy of wealth celebrated by supply-side economics. Thus he writes: "The Reagan Administration . . . has encouraged the flashing of money in diamonds, furs and stretch limos. And it promotes the rubbing of shoulders with the Prince and Princess of Wales." And again: " . . . We borrow prestige from an aristocracy we can buy. The 'special relationship' consists of living off . . . the aristocracy of Britain."

At first reading, this seems a willfully eccentric viewpoint. But it struck a chord with me. Some years ago when I was employed by the London *Daily Telegraph*, I embarked on a lecture tour of the United States. Everywhere I went, on every radio talk show and at every lecture, I was asked about two institutions which American audiences clearly considered quintessentially British: the monarchy and the National Health Service.

In those pre-Thatcher days, they represented the two sides of the British character as seen by Americans. The monarchy represented aristocratic Britain as seen on "Masterpiece Theatre," a land of stylish but socially responsible grandees who had accommodated gracefully to the collectivist inevitabilities of the modern world. The

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health service, of course, represented the collectivist inevitabilities themselves. Britain thus combined the most powerful political passions of the twentieth century—socialism and snobbery. All the world loves a left-wing lord. He is acceptable everywhere—in clubs socially and in pubs ideologically. And in the American imagination, Britain occupied much the same position.

Visiting Brits in those days were welcome in conservative circles as transatlantic cousins. But we were greeted even more warmly by the Eastern liberal establishment because we had apparently demonstrated that left-wing politics were perfectly compatible with good dinner parties and the preservation of a cultural elite. It was almost impossible for an English conservative to convince his American hosts that he actually sympathized with the opinions of American conservatives. They persisted in believing over his protests that, once all the facts had been laid before him, he would have voted happily for Adlai Stevenson.

In those days—and they were not so long ago—the English aristocracy was rented to provide moral-cum-symbolic support for the liberal innovations of John F. Kennedy and Camelot. Even as late as the Nixon presidency, Disraeli was prayed in aid by Daniel Moynihan to persuade the President that the Family Assistance Plan was the proper Tory thing to do.

Yet, as Mr. Kraft realizes, Britain no longer embodies these same political values. Mrs. Thatcher is selling off state industries galore; she is cutting public spending; she is even, late in the day, reducing taxes. In short, she is following a domestic policy that is in broad outline similar to the Reagan Administration's approach—and where she differs, as in insisting on a tighter budgetary stance, she is slightly *more* conservative. Her foreign policy, despite occasional lapses like Grenada, is even more scandalously aligned with Reaganism. Britain was the first nation to sign an agreement with the U.S. over Star Wars; alone in Western Europe, it has given notice of withdrawal from UNESCO; it supported Reagan in opposition to the Law of the Sea convention; and it has actually been more courageous than the U.S. in resisting foolish and counterproductive sanctions against South Africa.

In short, Britain no longer represents the principle of graceful aristocratic retreat in politics which naturally endeared it to American liberals. Mrs. Thatcher gives credibility to an altogether more combative form of conservatism. Mr. Kraft's annoyance is therefore perfectly understandable. Ironically, he may well have Prince Charles, a rather liberal young man, on his side.

• • •

It looks like being a White Christmas for Miroslav Medvid, who will be arriving in the Gulag about that time. Mr. Medvid is singularly unfortunate. He is a member of an unfashionable oppressed minority, the Ukrainians, who like the Miskito Indians have the bad taste to be persecuted by the vanguard of the future. As a result, his case attracted little attention at first in the heavyweight liberal press, who doubtless saw him as an embarrassing throwback to the Cold War. In those days, we had to let anybody and everybody in. "My dear, the noise—and the *people*!"

But the efforts of a few conservative journalists, notably Arnaud de Borchgrave of the *Washington Times* and Rachel Flick in my own newspaper, kept the issue (and perhaps Medvid) alive. They gave prominence to such points as that Medvid had made careful preparations to escape, such as wrapping his identity documents in plastic against the river; that he had—contrary to the first official lies—requested asylum from his Ukrainian interpreter; that he had tried to escape not once, but twice; that he had been

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carried back to the ship kicking, struggling, and making gestures (hand drawn across throat) to indicate that an unpleasant fate awaited him there; that during the weekend when he was back aboard, his wrists were slashed, either by himself or by somebody else; that when U.S. officials boarded the ship, they found him drugged and nauseated (William Safire in the *New York Times* added the information that bugged telephone calls indicated the Soviet embassy had ordered the ship's captain to drug him); and that Soviet officials were present at all times in his later interviews with U.S. officials.

It would take a State Department official to conclude from this evidence that Medvid's initial attempts to defect were ambiguous in character and that his later decision to return to the Soviet Union was truly voluntary. But since State Department officials were handling the case, these were the judgments made. But the establishment press tumbled to the fact that there was a story here with, yes, unanswered questions! There gradually assembled a heterogeneous alliance of Senator Jesse Helms, the Ukrainian lobby, and the press. The pressure mounted. Even the *Washington Post* began to devote large stories to Medvid's plight. Eventually, the State Department sought to soothe matters by releasing a document which is the nearest thing to divine revelation that the modern world can boast—the psychiatrist's report.

No one should miss reading it. It is a memorably slimy document. In its misuse of psychiatric concepts for political purposes, it has eerie echoes of the Soviet Union's exploitation of psychiatry against the dissidents.

To start with, the shrink saw Medvid for only two short interviews in an especially stressful and extraordinary period in the young sailor's life. No mention is made of whether or not he spoke in his native language. Since it is Ukrainian, the likelihood is that he did not. To draw serious clinical conclusions in these circumstances would be absurd. But the psychiatrist had no such qualms.

He examined two hypotheses: that when Medvid jumped into the Mississippi and sought political asylum in the U.S., he was suffering from bipolar disorder or manic depressive illness, or that he was simply immature and impulsive. He rejects the bipolar disorder thesis. This functions in his report largely as a piece of scientific flim-flam which, by being considered and rejected, testifies to his clinical reasonableness. There is no evidence cited to suggest that Medvid might be suffering from this (or any other mental) disorder. But then he isn't found to be suffering from it. So no one is likely to make a fuss over these airily suggested possibilities. Very neat.

We then come to the thesis, which the psychiatrist eventually adopts, that Medvid is immature and impulsive. His defection was thus inspired not by deeply rooted political convictions but by a sudden impulsive gesture—in the report's words: "Grabbing for the glitter and gusto." The principal argument used to support this is that Medvid jumped ship, sought asylum, and is now saying he wants to return. Clearly he has changed his mind. If that isn't impulsive, what is?

Simple logic is at fault here on two points. Medvid's defection is explained in the report as a result of his impulsiveness. That being so, his defection has to be some additional evidence of this character trait. No such evidence is presented. Thus the report becomes an exercise in circular logic in which the defection explains the impulsiveness and the impulsiveness accounts for the defection. Psychiatrists may use that kind of argument, but philosophers frown upon it.

But let us concede the impulsiveness for the sake of argument. There is still no necessary opposition, as the psychiatrist seems to think, between impulsiveness and strong beliefs. One is a psychological disposition, the other a matter of conscious reflection. Even if the timing of Medvid's defection was prompted by impulse, the defection itself might still be a matter of firm conviction. And the evidence—his careful protection of the identity documents, for instance—suggests that he had thought much about the matter. It is surely significant that "he appeared 'happy' until he saw the smoke stack of his Soviet vessel" (the psychiatrist's unpleasantly lofty quotation marks). Plainly, he did not begin to regret his impulsive decision until he realized he was about to be handed back.

What, then, changed Medvid's mind? Soviet intimidation—and threats against Medvid's parents? The psychiatrist concedes that there were such threats but goes on to argue that Medvid's yielding to them is further proof of his impulsiveness. A non-impulsive defector, he maintains, would have calculated these risks in advance! They would not have changed his mind subsequently.

What this nastily ingenious argument omits is that Medvid, having sought asylum, had been twice handed back by American officials since he had first jumped into the Mississippi. He had not calculated *that* in advance. Now he had good reason to think that the Americans did not want him. And knowing what awaited him back on the ship unless he played the Soviet game, he would be determined not to make a third try at defecting unless the U.S. officials made it very clear that this time he would be welcome stateside.

Nothing in the psychiatrist's report suggests that Medvid was welcomed in that way. To the desperate young man, it must have seemed that he was facing an alliance of bureaucrats. For the only time in his life, the phrase "the two superpowers" would have had real meaning for him.

I turned to the editorial in the *New York Times* to see how they treated the handling of Medvid. "The Immigration Service and State Department . . . tried to set things straight. . . . They looked him in the eye. He went back to his ship." I shall remember this little account when next the *Times* uses "insensitivity" as a word of abuse.[1]

• • •

While we are on the subject of experts, a phrase that might usefully be expunged from serious journalism is the obnoxious: "But experts say."

This dishonest phrase creeps insidiously into reporters' prose more and more. Its function is to contradict the opinion of whoever is being reported and to allow the reporter to express his own views without seeming to do so. The experts, whether named or anonymous, thus play the role of dummy to the reporter's ventriloquist. In short, it is a device to uphold the pose of neutrality which liberal journalism affects while enabling the journalist to get the liberal message across nonetheless.

Fortunately, this ploy now and then runs up against an actual expert. I recall an example of four years ago, shortly after President Reagan took office. The *Washington Post*'s man took it upon himself to issue a "correction" of some anti-Soviet remarks made by the President, who had declared in a press conference that the Soviet Union was bent on spreading Communist revolution around the world. The *Post* reporter doubtless found this strident or bellicose or maybe just plain damn insensitive. So just after quoting Reagan, he slammed down hard with: "Experts say, however . . ."

What the experts said was, of course, extremely familiar. The Soviet Union was a stuffy, conservative, status quo power. It was run by old men in badly cut suits. World revolution was the very last thing on the Kremlin's mind. Really up-to-the-minute Soviet apparatchiks regarded the whole thing as frightfully old hat, almost comic really. And so on.

On this occasion, however, the reporter's luck was out. His little rebuke was read by an actual expert on the Soviet Union, Robert Conquest, the British author of what is the standard work on Stalin's purges, *The Great Terror*. Conquest duly fired off a letter to the editor pointing out that there was nothing like an expert consensus on the Soviet Union's intentions for world revolution. But at least one prominent and authoritative expert shared President Reagan's view.

No, Conquest did not cite himself. In a classic example of the double bluff, the expert he quoted taking the Reaganite line was Andrei Gromyko! □

[1]And what about the *New York Times*' insensitivity to ethnic pride? Almost everyone in the American press is spelling Medvid's surname in its Ukrainian form, "Medvid." Only the *Times* persists in using the Russian "Medved."

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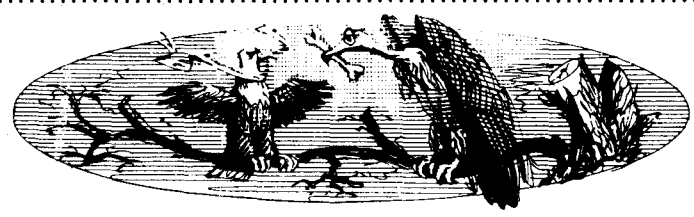
AMONG THE ENVIRONMENTALOIDS



WESTWAY STORY

by William Tucker

In 1973, New York City's West Side Highway collapsed. The old elevated structure below 42nd Street had been designed to lift traffic over the bustling waterfront. The piers are now rotting hulks, victims of union regulations and lack of rail access. All of Lower Manhattan is begging for redevelopment.

So the city decided to do things right. Almost all of Manhattan is ringed with highways. For decades, social critics like Paul Goodman had been telling New Yorkers they never should have cut themselves off from their own waterfront. So instead of simply crashing down the West Side with another superhighway, the city opted for a holistic, environmental approach.

It would fill in the rotting pier section with landfill. (Much of Lower Manhattan is already built on landfill.) A large portion of a four-mile highway would be built underground. On top would go a magnificent 97-acre waterfront park, readily accessible to four million people who crowd into the city canyons every day. The highway would become an Interstate, accommodating trucks, and 90 percent of the project would be paid for out of the Federal Highway Trust Fund (one of the few self-supporting divisions in the federal government, from which New York City historically has taken very little).

You'd think environmentalists would have been dancing in the streets. But they decided they didn't like the city's plan—or at least that they could find better ways to spend the money. Last September, after more than ten years in court, they got their way: The plans for Westway, as the project was called, were killed after a 34-day federal hearing.

At bottom, there was nothing rational to the environmentalists' opposition, unless you include the old tribal chant "We hate cars." Scratch any Westway opponent and he will tell you what Sally Goodgold, president of the City Club, who spearheaded that group's opposition, told me: "These highways only create their own traffic. The Westway only would have attracted trucks over here from New Jersey." Why they would have come over from New Jersey, except to do business in New York, is anybody's guess.

A long list of ad-hoc environmental groups headed by the Sierra Club began arguing that the city should "trade in" the $1.7 billion federal grant on funds for subway repairs. This wasn't an entirely bad idea. The subways are a mess and the Westway probably could have been scaled down, preserving some of the park area while freeing up money for mass transit. But the environmentalists were adamant. They wanted *all* the money to be spent on mass transit, except for a paltry $75 million that would go toward an eight-lane surface highway.

"There is a 250-foot right of way along the shoreline," says Marcy Benstock, director of the Clean Air Campaign, the most persistent opposition group. "The highway would only take up one hundred feet, which would leave a 150-foot strip for bike lanes, parks, and a promenade." Benstock also argues that existing piers could be rehabilitated for recreation. "A pier is surrounded on three sides by water, while with a park you only get one side," she says.

A 150-foot-wide "promenade" running next to an eight-lane highway—that's what passes for imagination in New York these days.

The first Westway media star to emerge was Brian Ketcham, formerly chief transportation coordinator in the administration of John Lindsay. For years Ketcham had been working with the Environmental Protection Agency to keep cars out of mid-Manhattan. After quitting City Hall, Ketcham founded an organization called Citizens for Clean Air.

Ketcham was out front until 1981, when it was discovered that the Environmental Protection Agency was about to give his environmental planning firm a $150,000 consulting contract that was essentially going to fund his anti-Westway campaign. Ketcham claims it was all on the level, and a subsequent EPA investigation cleared him of any wrongdoing. But he was "blackballed," he says, by both the environmental community and the city government—which gives him a kind of brutal candor in talking about the whole issue today.

"Everyone knows how these things work, and nobody knew how to do it better than I did," said Ketcham in an interview this November. "You just comb through the environmental impact statement and try to find flaws. You delay and delay, and pretty soon the project just disappears." During his six-year stint as unofficial head of the opposition, Ketcham often told interviewers, "If I were the only person on earth who was opposed to Westway, I could still stop it all by myself. The regulations on a big project like this are essentially impossible to meet."

So the environmentalists went to court and the delay was on. Still, Ketcham isn't a complete fanatic, or so he claims. Ketcham says he had an informal compromise worked out with city and state officials as early as 1974. (Leaders of environmental groups, you may note, often talk as if they were heads of small countries.) According to Ketcham, the $1.7-billion federal Westway allotment would have been traded in so that one-third of the money would go for a "park-and-surface-boulevard" similar to Chicago's Lake Shore Drive, one-third for arterial roads, and the final third for the subways. "It was realistic," says Ketcham. "You can't ignore cars altogether, and we could have saved the waterfront park."

But Ketcham was outflanked by his own radical fringe in the person of Benstock. According to him, she sabotaged the arrangement by breaking it prematurely to the press. Benstock denies this, but admits that she would not have accepted the compromise then or now. "I have long argued and will continue to argue that nearly all the money in this project should be spent on mass transit," she says.

Benstock is one of those people that no contemporary community seems to be able to do without. A Radcliffe economics major, Benstock started as an environmental writer, but soon became one of those free-lance individuals with no apparent purpose except to wrestle power away from elected officials.

After arriving from Buffalo in the early sixties, Benstock took a master's at the New School, and then started the Clean Air Campaign, a small group funded mostly by contributors from family foundations. For a while, the organization concerned itself with the useful but unheroic task of trying to get apartment-house superintendents to burn heating fuel more efficiently. But soon Benstock found there was far more publicity in taking on city hall. "I admire Marcy and I think she's done a terrific job," says Ketcham. "But she does nothing but work against West-

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William Tucker is The American Spectator*'s New York correspondent and author of* Progress and Privilege: America in an Age of Environmentalism. *His most recent book is* Vigilante: The Backlash Against Crime in America *(reviewed on page 40 of this issue).*

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way. It's become her whole life." As a result, Benstock soon became the darling of the liberal media. Adoring articles about her have appeared regularly—in the *New Yorker*, the *Village Voice*, and the op-ed columns of the *New York Times*. (The *New Yorker* even lamented that the old elevated highway was torn down, noting that it had been discovered by joggers and that wildflowers were starting to sprout through the concrete.)

Whether or not there could have been a compromise in the early seventies is still open to debate. Benstock insists that the city and state were never willing to compromise, and Ketcham may only be having delusions of grandeur. In any case, it was back to court for another ten years.

It was not a bad bet for the environmentalists. Through the luck of the draw, the case had already ended up before U.S. District Court Judge Thomas P. Griesa, who soon proved to be almost embarrassingly sympathetic to their cause. "It was just luck," says Ketcham. "If we hadn't gotten Griesa, Westway would be finished today. There's not another judge in the entire country who would have gone as far as he did in making demands on the project."

From 1974 to 1979, the gaggle of environmental litigants concentrated on air pollution. That's right—they argued that an underground highway was going to produce *more* air pollution than a surface highway.

But of course it was all just part of the chess game that environmentalists everywhere play in court. "Basically, the professionals can make these numbers come out any way you want," says Ketcham. "Everybody knows this. You can pick any number on the scale from one to ten, and I'll give it to you. The real purpose is just to keep delaying the project."

I had found that out firsthand a few years ago when I interviewed Samuel Sage, then director of the Atlantic chapter of the Sierra Club, in Ithaca, New York. Sage had just told a meeting of the local chapter, "We can assure you, Westway will never be built." During the question period, I asked him: "Why is the Sierra Club opposing an underground highway with a park and supporting a surface highway with no park?"

The audience was horrified to realize that there was a *replacement* highway involved. "Don't build any highway at all!" at least five people cried in unison after Sage patiently explained the situation.

After the meeting, I talked with Sage, who recognized me from other articles I had written about environmentalists. "How can you say there will be more air pollution with an underground highway?" I asked.

"Well, to be quite frank, the whole air-pollution thing is kind of a nothing issue," he said.

"You know, I'm going to quote you on that," I said.

"Go ahead," he shrugged. "I'll just deny I said it."

At this point a couple of people standing around us started to get a little annoyed with Sage's performance. "What is this business about flooding New Jersey?" asked one Cornell professor. (The Club had convinced several New Jersey mayors to join the suit on the grounds that Westway would flood their communities.) "Are you saying the Atlantic Ocean doesn't have room for any more water?"

Sage didn't say much.

"And how can you argue that fish life is going to be harmed? You know that isn't a very biologically active part of the river."

Finally Sage had had enough. "Look," he said, "we're in the business of stopping this project. We'll use anything we can that will help." With that he left.

By 1979, the federal court decided that air pollution was in fact a nothing issue. The Sierra Club had the grace not to appeal. By that time it didn't have to bother. The Army Corps of Engineers had filed its environmental impact statement for the landfill in the Hudson River and there was enough there to keep environmental opponents in business for a lifetime.

Environmental impact statements are like the sacred rituals of certain Indian tribes: They have to be done over and over again until they are performed perfectly, otherwise the gods will not accept them. Moreover, the burden of proof is always on the person who wants to *do* something, rather than on the person who simply challenges what is being done. Government agencies must show that they have "explored every conceivable alternative." Opponents don't even have to show that they have an alternative—only that the performer hasn't yet reached perfection.

The major issue in the battle against Westway became the striped bass in the Hudson River. They spend most of the year in the Atlantic, but swim as far north as Albany for their spring mating season. The environmentalists argued that the "critical habitat" of these fish would be destroyed by the landfill. This critical habitat, believe it or not, was the rotting piers of Lower Manhattan, where young bass, attracted by a sewage outfall, have been lingering for a few months of the year since the piers were abandoned. It was obvious to anyone that if the piers were torn down and the outfall capped the fish would just move somewhere else—although Benstock called the effects "potentially devastating" to the entire Atlantic Ocean population.

Of course, what the *fish* did was really not of concern. What was most important was what was said in the environmental impact statement. Somewhere in a preliminary draft, a scientist had used the word "significant" to describe the effects of the landfill on the fish. In scientific language, this means "not zero." The Army Corps realized, of course, that someone was likely to interpret the word as meaning "profound." So it dropped the word from the final draft and substituted the word "minor."

Calling this action a "fraud," Judge Griesa in 1982 ordered the whole project halted. The Corps had to do another impact statement. At the hearing last summer, the same objections were raised to dropping the word "significant," and Griesa once again found the impact statement unsatisfactory. In addition, he ruled that, because of the park amenities, Westway was really a "development" instead of a "highway," and therefore should not have received federal funds.

So ended New York's effort at imaginative highway planning.

It is almost unbelievable that public policy can be made in such a way. The Sierra Club doesn't even have anyone answering their phone in New York. When you call you get a recorded voice telling you they will call back, not that anyone ever does. Although some of these hole-in-the-wall operations claim memberships of thousands, most consist of no more than a handful of activist lawyers and publicity geniuses.

Public opinion is the one thing they don't represent. When the *Daily News* and ABC-TV did an exit poll during the September primaries, only 21 percent

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S.G. GORSHKOV
Admiral of the Fleet of the Soviet Union

In the years following World War II, and in particular within the last decade, the USSR has built the world's largest naval and maritime fleet and is using it to maintain an oceanic presence throughout the world. Why this awesome buildup? What is the Soviet naval/maritime policy? What is—and where is—the Soviet Navy? Who are the officers and men of the Soviet Navy, and how are they trained? Is the Soviet Naval Infantry as well-organized and equipped as the U.S. Marines are? What is behind the recent surge in Soviet naval aviation? How many nuclear-powered submarines does the Soviet Navy have?

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of the respondents said they agreed with the opponents about scrapping the project. It's also revealing that Westway failed despite support from the city's three major newspapers as well as from former Governor Hugh Carey, Governor Mario Cuomo, Mayor Ed Koch, and most other important elected officials.

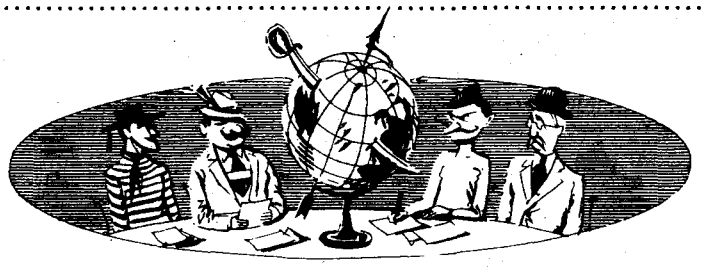
In truth, Westway was probably overdesigned—which is what late in the game earned it the opposition of conservative groups in Washington, such as the National Taxpayers Union and Pat Robertson's "700 Club." These groups helped defeat a last-ditch effort to save the project in Congress. It is hard to imagine a greater public amenity than a new "Central Park" around which to reconstruct Manhattan's Lower West Side. But the subways do need money and, if worse came to worst, a modest park-and-boulevard would probably do.

But New York's environmentalists won't settle even for this. When city and state officials introduced such a new plan in October, Benstock and the Sierra Club immediately announced their opposition. They will fight anything more than the construction of a few new traffic lights along Manhattan's Lower West Side.

Governor Cuomo once said that the Westway would be "this generation's contribution to New York City's future." In a perverse way, he was probably right.

New York was built by people with imagination. The city's magnificent Catskill Water Aqueduct, Central Park, Riverside Park—all were designed by people willing to think big. None of them could be built today. In fact, the Westway was probably too good for today's New York. The city's politics is now dominated by people with twisted ambitions and small minds. □

EUROPEAN DOCUMENT



KING KADAR

by Robert D. Kaplan

In power twenty-nine years, 73-year-old Janos Kadar has ruled Hungary longer than anyone since Austrian Emperor Franz Josef, and longer than any Hungarian since fifteenth-century King Matthias, whose reign was synonymous with the golden age of medieval Hungary. Matthias was a romantic figure of whom legends were told. Kadar is a working man of little formal education—deficient of charm or charisma—who has always taken the path of least resistance. However, by selling out not only to the Russians, but to his own countrymen as well, he has won a measure of legitimacy which should be the envy of every other East Bloc leader, past and present.

Kadar, like Gustav Husak in Czechoslovakia, came to power as a Soviet quisling and betrayer of a popular uprising. The first few years of his reign were devoted to the physical elimination or imprisonment of those involved in the 1956 revolution. But Kadar proved more cunning than Husak by half. Kadar, unlike his Czechoslovakian counterpart, gradually removed his rivals on both sides of the divide: Stalinist ideologues as well as 1956-era revisionists. Having put power in the hands of middle-of-the-road Communists like himself, Kadar was able, beginning in 1968, to embark on a historic compromise with his fellow Hungarians. Kadar: the devious functionary, who knew just how far the rules could be stretched without alarming the boss in Moscow. Few political acts in postwar Europe have been as impressive.

The details of the succession are no longer even crucial. The politburo has been stacked with Kadar's ideological clones. The party congress last March further consolidated the power of the country's economic czar, Ferenc Havasi, a man in his fifties dedicated, like Kadar, to further decentralization of the economy, a process which in Communist systems passes for reform. Another comer is Kadar protégé Laszlo Marothy, a vice premier in his forties. The only politburo member with a hardline reputation is Karoly Grosz, and this label could be in doubt, as Grosz has recently been given to making reformist-sounding speeches. Three decades of Kadarism have seeped down into all levels of the bureaucracy. A retreat towards Marxist orthodoxy is neither feasible nor necessary from anyone's point of view, including that of the Soviets, as Hungary's loyalty to the Warsaw Pact in the realm of security and foreign policy is unquestioned.

The issue, rather, is whether the truce between ruler and ruled in this Central European nation of 10.7 million can long survive Kadar: His reformist policies have not so much improved the system's performance, as they have sharpened its contradictions. As any banker will tell you, market-oriented reforms have not improved Hungary's productive capacity as much as was originally thought. But the reforms have left the country virtually unprotected against an invasion of Western influence—the consumer culture is more developed in Hungary than anywhere else in Eastern Europe. As a Hungarian journalist observed, "Our consumption is modern, our production is not."

Activating production means providing talented people with incentive, so the regime has more and more been sanctioning inequality in every sphere. Entrepreneurs and those, like doctors, with marketable skills can live the good life in Kadar's Hungary: a Western-manufactured car, a villa on the Buda side of the Danube, and a weekend house on Lake Balaton. "The values are now the same as in America. Everyone is talking about making money," said the dissident author and sociologist, George Konrad. He calls the process "the *embourgeoisement* of Hungary under the Communists."

The cars on the street tell the story. Along with the Dacias, Ladas, and Trabants, there are Mazdas, Volkswagens, and BMWs. Since East European producers cannot meet Hungary's demand for private autos, the regime has been importing cars from the West at an increasing rate, and has reduced the tax on them from 100 percent to 40 percent to make them more affordable. Such an approach dovetails with a recent party decision to channel funds away from investment and into consumption. It is a losing battle, though: Western-style consumerism will always demand more than what a Marxist economy, no matter how innovative, can offer.

On the other hand, the mass of largely untalented proletariat—Kadar's real constituency—is not benefiting from the cornucopia. Many, especially urban dwellers on fixed incomes, live a dreary existence on the borderline of poverty. With such a difference between rich and poor, it is no wonder that property crime is growing at the rate of six percent a year. (One gang of burglars, according to a local police colonel, chose its victims by leafing through the Budapest phone book, which lists occupations as well as addresses.)

Disillusionment is increasing, especially among the young. Weaned on a growth economy in the 1970s, they now face a scarcity of good jobs and a wait for an apartment which is longer than ever. Many have become opposed to further reforms, on the grounds that the measures only seem to benefit the class of "new rich."

This disillusionment has given rise to an increasingly autonomous trade union movement. As in Poland, union wrath is directed upward. But in Hungary, pressure on the leadership is far less concentrated, since everybody is aware that the wealthy are not necessarily the powerful: Kadar and the members of his politburo live frugal lives compared to those of local entrepreneurs and Communist leaders in neighboring countries. Though Hungarian society may now be in turmoil, Kadar's regime has by no means been discredited.

The basis of Kadar's legitimacy is still the widespread knowledge that—within the confines of Soviet imperialism—he provides the best available option. For this assumption to hold true, the regime must keep delivering up

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more to the population. The June elections for parliament and local councils were a case in point. More than one candidate was allowed to stand for each seat. In the West, the voting was not taken seriously. But in Hungary, it was seen as a real, evolutionary step. Not even the dissidents talked cynically about the elections. (At one nominating convention, dissident Laszlo Rajk forced Foreign Minister Peter Varkonyi into a public debate.) True, the dissidents failed to elect candidates, but the party had to pack the caucuses in order to win. "It's a step in the right direction when the standards of Chicago replace those of Moscow," remarked a Western diplomat.

While the new parliament has no real power, its new-found legitimacy, in the eyes of the people, could eventually turn it into a pressure group much like the unions. At the local level, the elections served to rid many towns of old party hacks and replace them with younger, more popular men.

Perhaps, in order to steady Soviet fears at these and other developments, the official press has been striking a harder line against the United States, and the party has announced its intention to reinforce ideology in the schools through its Agitation and Propaganda section. The official attitude toward the dissidents keeps shifting. Of late, no crackdowns have been reported. After all, the dissidents serve a useful function: They are absolutely no threat to Kadar's regime, while their relatively unfettered existence secures his popularity in the West.

Nowhere does repression appear as restrained and as sophisticated as in Hungary. The drama between ruler and ruled in Eastern Europe is being played out in its subtlest form here. While in Poland the plot reads like a potboiler, in Hungary it is more like a nineteenth-century period novel. Kadar has proved an exemplary front man for an Asiatic imperial power in the heart of Europe. But as the facade gets taller, it becomes ever more fragile. Remember that Matthias's successors turned out to be short-lived. The golden age of Marxist Hungary may be about to pass. □

EMINENTOES

THE GREAT WHITE

by Joe Mysak

When E.B. White died last October at the age of 86, he was eulogized as a master essayist and stylist, a "writer's writer," and "one of the nation's most precious literary resources." The puffs were predictable, and caused a certain unease, coming as they did from the same kinds of experts who believe E.L. Doctorow is a great novelist and Garrison Keillor a great wit.

Perhaps it was the fault of the obituary writer. As Malcolm Muggeridge once wrote, "Graveyard, or memorial, prose is among the least edifying and least pleasing forms of human composition. There is a prevailing flavor of syrupy insincerity, an affectation of wholehearted truthfulness, amounting to the worst kind of deception, which sickens as it surfeits."

Such was indeed the case with White. A self-effacing sort, he would hardly have stood for some of the garlands heaped upon him. He himself conceded, in a foreword to an edition of his collected essays in 1977, that "the essayist . . . must be content in his self-imposed role of second-class citizen" in the world of letters. He claimed no more, the same way that Red Smith claimed that he was no more than a reporter and sportswriter. And it is unlikely that White will be remembered as more by history. His place is a secure footnote in American writing.

Joe Mysak is assistant managing editor of the daily Bond Buyer.

White hardly needs introduction. He joined the *New Yorker* magazine in 1926, one year after its founding by Harold Ross, and worked almost continually for it, in one capacity or another, until his death. He did all kinds of general editorial work, wrote short stories, fillers, humorous sketches, obituaries, often whimsical poetry, and the front-of-the-book features, "Talk of the Town" and "Notes and Comment." He even prepared a cover illustration, featuring a seahorse with a feedbag.

White was part of the *New Yorker* during its glory days, and he was also part of it in its decline. He has been held up as the epitome of the much-vaunted *New Yorker* style, and he must be held at least in part responsible for what the magazine became by the early 1960s—in the words of Tom Wolfe, "dull, lifeless, grossly overedited, overrated," its sentences clogged with "amplifications, qualifications, modifications, and specifications."

In his latter days—and even he said once that it seemed he had been born old—he played the role of the crusty senior citizen, and in his last battle took on Xerox Corporation for "sponsoring" an article in *Esquire* by Harrison Salisbury. As Herbert Mitgang wrote in the *New York Times*, "his opponents often succumbed to the force of his purity," often in the name of freedom of the press and individual liberty. Because he wrote editorials, White said, he kept his politicking to the confines of a voting booth.

White was accomplished, but even the seemingly legitimate claims his admirers make for him now are suspect when they are not farfetched. If his essays are paradigms of decency and politeness, they can also be perfectly precious and perfectly dull. The famed White style was suffused with a kind of effortless melancholy and reverie. This may be fine for memoirs or obituaries, but it is hardly suitable for all subjects. Indeed, it can be asked whether the master stylist ever wrote a vigorous sentence. Even at its angriest, White's writing rarely bristled, but merely stiffened with resolve.

But he did his worst damage with *The Elements of Style*, which he updated from his college professor Will Strunk's original text of helpful hints for writers. Had he left this infernal little book alone, Lord knows how many people able to write in the English language we might have today. White resurrected it in 1959, however, and it has been a nuisance ever since.

Perhaps only the misuse of it has turned it into a bane, some may say. No, not at all. It was meant to be a textbook. White gave the professors a sword. Instead of encouraging trial and error and rewriting, *The Elements of Style* has been used by at least a generation of academics on their more idiosyncratic stylists the same way their forebears used to use rulers on those fractious students who insisted on writing left-handed. If writing is a matter of attaining a good ear more than anything else, and White apparently gave this credence, a textbook should be the last book read by students. Worst of all, perhaps, the book has indirectly caused any number of journalists and word-watchers to write their own fussy columns on the craft, profession, or art of writing.

Style aside, there is the White of the bully pulpit. For years, he wrote the *New Yorker*'s editorials. He could have been a force for good. He was, it seems, a civilized man, but his ideas were in the main embarrassments. Typical of these were his wish for a world federal government and his editorials expressing fear instead of understanding of the nuclear age. He was sincere, and well-meaning, and compassionate, and frequently a booby. The combination is not uncommon.

How to remember E.B. White? Not in the words of the memorialists, or the masters of graveyard prose, or the ridiculous geese who write for the newsmagazines with their weekly manias. Remember the Great White, if you must, as a journalist who got on the firing line every day, and did his part. He was occasionally a pest, but he did it passably well. □

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WORST BOOK OF THE YEAR

TAS's *Annual J. Gordon Coogler Award*

FERRARO: MY STORY
Geraldine A. Ferraro, with Linda Bird Francke
Bantam Books/$17.95

Fred Barnes

Turns out there was a lot more going on in the 1984 presidential campaign than I ever imagined. I covered the dang thing, but I never knew, for example, that there was a conspiracy afoot, a cabal involving the hierarchy of the Catholic Church, the White House, the Republican party, and the press. It was aimed, I am now informed, at persecuting a single Democratic candidate. There was harassment and razzing and all manner of unpleasant conduct by people who carried nasty placards. There was violence, or at least the constant threat of it. And that's not all. A full moon must have arrived around Election Day because there was bizarre behavior on the part of voters, who were irrational to the point of voting against their own beliefs. Oh, yes, one more thing. In the end, a martyr was produced, Geraldine Ferraro, crucified on the cross of her womanhood.

Well, that's it in a nutshell, Ferraro's version of the campaign in which she was the nation's first woman vice presidential candidate. Boy, did she suffer, and so did her husband and children and mother. It was tough, tough going. Over and over, folks blamed her or husband John Zaccaro for matters that became controversial. But, if truth be told, there was always someone else at fault—no flies on me. The trick she pulled of illegally taking money from her immediate family to finance her race for Congress in 1978? Why, that had no business coming back to haunt her in 1984, since the idea came from a man who'd worked for the Federal Election Commission once. Blame him. Or the money Zaccaro borrowed from an elderly widow's estate, of which he was conservator? Bad legal advice was responsible for that. Or the snarled financial situation of Ferraro & Zaccaro, notably the fact that they had to pay $53,461 in back taxes to the federal government in 1984? On this one, the buck passes to the old family friend who'd been doing accounting chores for the family for years.

That wasn't the worst of it. The really awful thing that all those Catholic bishops and White House types and Republicans and journalists did was take a hard look at Ferraro's record. "Reading my voting record without knowing the background did make me look far more liberal than I actually was," she writes. Okay, so she voted for the wild-spending budget of the Congressional Black Caucus. What of it? I mean, she wasn't really for that budget, exactly. "I wanted to make a statement about the President's priorities," Ferraro explains. " . . . My vote on the Black Caucus budget expressed my principles—that funds for nutrition for kids, for education, and for jobs programs were just as important as funds for defense."

Abortion was the real club used against her, though. "Personally, I have always been against abortion," Ferraro writes. Yet it simply isn't proper for someone to try to impose her religious beliefs on the public at large. "Could I, in good conscience, make the decision to continue or terminate a pregnancy for somebody else?" she asks. Nope. And the Catholic bishops should have accepted this. That they didn't could only have been the result of a conspiracy. After all, Archbishop O'Connor of New York City, Ferraro's leading antagonist on the abortion issue, had been a registered Republican until right before the election. He was a "friend of the Reagan White House, whose nephew, according to the *Village Voice*, was employed by the Reagan-Bush reelection campaign, supporter of Reagan's policies in Central America [and] defender of our role in Vietnam." The fix was in, and it was scary. "The violence was escalating. And the same signs were popping up at different points all over the country, along with the same hecklers. It was all too organized to be spontaneous."

But why the vehemence of O'Connor's (and everybody else's) attacks? At the core was sexism. "It was one thing for Catholic men to speak in the abstract about a woman's right to abortion, as Governor Mario Cuomo would so eloquently in his speech at Notre Dame," Ferraro contends. " . . . It was quite another to have a high-profile Catholic woman support the issue, and so personalize it. Mario Cuomo could talk about abortion. I could actually have one."

What Ferraro faced was a pernicious and ubiquitous double standard. She joked about Italian men and got hammered for it in the press. Yet President Reagan could make an idle quip about dropping the Big One on the Soviet Union and get away with it. Not fair, Ferraro says. She shows up for the Columbus Day parade in New York City and is shunted far to the back. "You can bet if there had been an Italian male vice-presidential candidate of either political party, the New York Italians would have made a big deal over him," she notes. More unfair still was the notion that a woman wasn't experienced or tough enough to handle foreign policy and defense matters. "Nowhere was the double standard more apparent than over this issue. On the one hand, the perception was that men could speak with more authority than women on foreign affairs. Yet these same men also felt entitled to speak out just as forcefully on abortion. Though they may have been involved in military combat, they had never been pregnant. But their views on abortion were respected and taken seriously, whereas women's attitudes toward national security were not."

Getting the drift? Ferraro's book, 340 pages of it, is a prolonged whine. Jimmy Carter never shifted this much blame, even when he accused the malaise-afflicted American people of causing nearly all of his administration's problems. Ferraro claims she couldn't get a fair shake, what with everybody out to get her. Vice President Bush plainly lost to her in their single debate, for instance, but hordes of people thought he'd won. Unfair, sexist, not my fault, etc. Political analysts thought less of her candidacy because her own congressional district in Queens went solidly for Reagan-Bush. "Irrelevant," Ferraro declares. Her constituents voted "for the Republican presidential candidate, not against the Democratic vice-presidential candidate." Women didn't come flocking to the Democratic ticket, as predicted, once a woman was on it. "But women are no fools," Ferraro insists. "Fewer of them bought the Reagan vision of America [than men did], because they understood they were not equal to men within it." But 55 percent of them voted for Reagan's vision. Fools, are they?

Ferraro, at any rate, comes off as one in this book. It should have been entitled: "I'm Great—It's Not My Fault I'm Not Vice President." She hasn't the foggiest idea why she and Walter Mondale were trounced in the election. Nor does she, or her co-author, write well. Ferraro has a penchant for crude slang. When parents brought children, usually little girls, to her to be touched, that was "heavy." When she likes something, she is "into" it. Talented

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people who come her way are often described as "dynamite." But bad writing is forgivable; it happens all the time in political memoirs. Even egomania isn't so bad; it's an occupational hazard in politics (and journalism). But when you're a self-flatterer in the extreme, with an irritating streak of self-righteousness, and are unreflective on top of it—that's going too far. Now, I don't mean unreflective in the conventional way that most politicians are unreflective. It's no surprise to find a political figure who lacks a serious interest in long-term voting patterns or ideology or political motivation. But Ferraro goes well beyond that. She doesn't make connections. And she just doesn't get the hang of what's going on in American politics.

Ferraro demands that she not be judged a bad Catholic because she disagrees with the church on abortion. Then, a few pages later, she recalls her criticism of Reagan for failing to live up to Christian principles. The Bible sets out "the Judeo-Christian principles we should live by: to care for the sick, feed the hungry, clothe the naked," but Reagan is "doing exactly the opposite" with domestic budget cuts, she says. This wasn't "meant to question Reagan's standing as a Christian," she adds disingenuously, "but the actions of his Administration."

If that episode wasn't embarrassing enough, she also harkens back to the time she confronted workers at a Chrysler plant in Illinois. How dare any of them vote for Reagan? The Democrats had delivered federal goodies to them. "We had bailed out Chrysler," Ferraro writes. "Fritz Mondale had led the fight from the White House. I had voted for the legislation. This was a Chrysler plant. These were the guys whose jobs we had saved." Having said that, she turns three pages later to Bush's brazen flashing of his wallet at a campaign rally in Ohio, during which he stated, "It's who puts money into this and who takes money out." Ferraro is aghast. How could any politician be so crass as to think that a vote is affected by whether one is making some money or not? "What a cynical statement on the democratic process," she huffs.

Ferraro doesn't understand what kind of shape the country is in, either. She maintains that all the issues were on her and Mondale's side. The economy was in dreadful shape, the threat of a nuclear or conventional war far greater with Reagan in the White House. And voters agreed with her and Mondale about what to do—spend more on social programs, negotiate a nuclear freeze, and so on. Then comes Election Day. "Was I devastated? No. No incumbent President has ever been turned out of office in a year of economic growth. The country was not presently at war." In short, "Reagan was unbeatable." What happened to all those great issues? As you might guess, Ferraro can't explain that adequately.

Maybe I'm being too rough on Ferraro. I've read worse books. Give me a week or two, and I'm sure I can come up with some names. In the meantime, let me apply a popular journalistic test to the book. Folks often say they don't know much about journalism, but they do know what happened down in their neighborhood the other day and the press account of it had the facts all confused. Or something like that—it's the only-story-I-know-about test. Me, I don't know many people who worked for the Ferraro campaign, but I do know Richard Medley, an economist who served as a speechwriter for her. He is mentioned once in the book, when he's described as standing beside Ferraro on stage and wiping away the tears as she speaks. Never happened, says Medley. I'm not suggesting that Ferraro purposely made up the Medley episode. I'm willing to concede she dreamt it. Just as she dreamt that all those bad guys were plotting against her throughout the campaign. □

It Just Doesn't Pay

The average U.S. citizen saves much less of his income than his counterpart in any other industrialized nation. Why? Are we simply hedonistic spendthrifts with little regard for the future? Perhaps.

WAYNE
The Richmond News Leader
1979 By Chicago Tribune
LET'S SEE... IT WOULD DEFINITELY PUT YOU IN A HIGHER TAX BRACKET... AND SUBJECT YOU TO SHORT-TERM CAPITAL GAINS... AND HIGHER TAX RATES FOR UNEARNED INCOME.... THEN THERE ARE WINDFALL PROFITS IMPLICATIONS... IN SHORT: — FORGET IT... YOU CAN'T AFFORD IT

It certainly is true that the number of Americans who are perpetually in debt has reached epidemic proportions. But this doesn't necessarily suggest a flaw in the national character. What it does suggest is that there is little incentive to save. Thanks to oppressive tax laws and the government's own fiscal irresponsibility, it just doesn't pay to save.

Former Treasury Secretary William Simon explains: "If the purchasing power of the dollar is going to be cut in half in a decade (by inflation), it makes little sense for me to hold that dollar in a savings account. Better to spend it now while it still has some purchasing power left. In fact, it pays me to consume not only everything I have but also what I *don't* have—in other words, go into debt. I can pay back my creditors in the future with dollars that are worth less than the ones I borrow."

This effect is relieved somewhat as inflation declines. But it should be noted further that the interest we earn on our savings is *taxed* as "unearned" income, while the interest we pay on our debts is a tax *write-off*. In other words, we are still penalized for saving and rewarded for going into debt.

The same is true in business. Profits, which are the rewards for risking our savings and which are in large part used to upgrade facilities, are heavily taxed. Dividends, that portion of profits which goes to the owners, are taxed twice—first as corporate profits, then at the personal level as "unearned" income. And earnings on stocks are reduced through capital gains taxes. Meanwhile, losses are written off.

The sad truth is that under present tax laws, and given the government's penchant for inflating (therefore, devaluing) the currency, the "smart money" has plenty of reasons to avoid the kind of productive investments that would raise all Americans' standard of living. Clearly, the laws must be rewritten to reward savers, not penalize them.

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BOOK REVIEWS

PROFESSOR OF LIBERAL LAW

A MATTER OF PRINCIPLE

Ronald Dworkin/Harvard University Press/$25.00

Shirley Robin Letwin

One of the few genuine novelties of our time is a new attitude to law. In the Western democracies, and certainly the United States and Britain, the rule of law is still taken for granted. No one has yet suggested that it should be abandoned. But there has been a radical change in the conception of a judge's duty. It is no longer assumed that judges are obliged to interpret the law as it stands regardless of what they themselves prefer. Instead judges are regularly given political labels, such as "conservative" or "liberal." And what arouses public interest is not the legal quality of their decisions but whom they have pleased or offended, whether they have satisfied blacks or whites, employers or unions, the Moral Majority or Feminists.

Strong support for this change has come from the professional law journals, and especially from Prof. Ronald Dworkin's "rights theory." It has received unusual attention from lawyers as well as philosophers of law. For the layman, it provides an opportunity to examine the presuppositions and implications of the new attitude to law.

Professor Dworkin claims that his theory has the virtue of restoring to law a moral dimension that is ignored by the narrow prevailing theory. But this aspiration has not led him to follow the practice of traditional philosophers, and of Oakeshott in our own day, of developing their jurisprudence within a systematic account of human conduct. His new book, like his earlier *Taking Rights Seriously*, is a collection of essays, many of them addressed to events of the moment and published originally in the *New York Review of Books*. His view of law has therefore to be constructed from fragments presented in different contexts, and the reader gets little help in this archaeological expedition from Dworkin's introduction.

In his earlier essays, Dworkin concentrated on arguing that there is "a right answer" for every case which leaves no room for the judge to exercise discretion. That followed from his doctrine that the law includes not only formal rules and decisions but also all those principles of fairness and justice which can be inferred from such materials. In order to make use of these materials, the judge has to formulate a "political theory." Each judge constructs his own theory without regard to other judges and relies on "a theory of mistakes" to dispose of whatever does not fit into the general pattern. With the aid of his political theory the judge can find in the law the right answer to "hard cases."

Despite Dworkin's generous contributions to professional and popular journals, conferences and lectures, just how the "rights theory" understands the law has remained a mystery. A crowd of commentators have reached contradictory conclusions. Some agree with Prof. Herbert Hart who has described it as an eminent example of the "Noble Dream," the faith (not shared by Hart) that law is never "incomplete, inconsistent or indeterminate" because "for every conceivable case there is some solution which is already law before the judge decides which is awaiting discovery." Others have found that Dworkin radically increases the judge's power to legislate and thus introduces greater uncertainty into the law. The new volume should settle the issue.

That expectation is encouraged by several essays on what Dworkin calls a "theory of interpretation." The relation of this theory to the "one right answer thesis" is at first sight puzzling since the latter, too, is an explanation of how judges reach their decisions. But there is also an obvious novelty in the new theory—Dworkin's emphasis on the importance of "normative beliefs." He explains their significance by an excursion into literary criticism, which starts with the question: Why do critics disagree about what is the best method for discovering the meaning of a literary text? To answer it, Dworkin produces his "aesthetic hypothesis," that different interpretations spring from different ideas not about what a work of art is but about what it should be. Interpretation consists of reading a text so as to reveal it "as the best work of art." This means that interpretation is determined by a critic's normative beliefs, because theories of art

> do not exist in isolation from philosophy, psychology, sociology and cosmology. Someone who accepts a religious point of view will probably have a different theory of art from someone who does not, and recent critical theories have made us see how far interpretive style is sensitive to beliefs about meaning, reference and other technical issues of the philosophy language.

Since normative beliefs shape interpretation, we cannot separate interpreting a work of art from "evaluating" it. We are therefore obliged to recognize that

> there is no longer a flat distinction between interpretation conceived as discovering the real meaning of a work of art, and criticism, conceived as evaluating its success or importance.

Therefore different interpretations are due to differences in normative beliefs.

Dworkin takes trouble to deny that he is putting the objectivity of interpretation in doubt. That interpretation has normative presuppositions is no different, he says, from the fact that "what we take a physical object to be must sit well with our theories of knowledge." But it does oblige us to recognize that any dissent from a critic's explanation of the meaning of a work of art must be due to a different evaluation of its artistic quality. Anyone who pretends to keep his interpretation distinct from evaluation must, according to Dworkin, be equating the meaning of a work of art with the author's intention. And against the possibility of discerning an author's intention, Dworkin draws on arguments that have long been familiar in literary criticism. But he goes further to deny that there is a sharp distinction between author and critic: Merely a difference of emphasis separates them because "the artist can create nothing without interpreting as he creates" and the critic "creates as he interprets."

Dworkin insists on this in order to establish that the judge cannot interpret law without making "a political decision" just as the legislator does. Adjudication is like producing a novel by a chain of authors. Just as each author has to construct a unifying con-

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ception of what his predecessors have written, so the judge has to determine what "the point or theme of the practice so far, taken as a whole, really is." The moral is not that the judge has to see the law as a whole but that any interpretation of a legal practice must show "its point or value" in "political terms." A judicial decision must demonstrate what is "the best principle or policy" that a legal practice "can be taken to serve." And so Dworkin assures us that just as our "commitment to feminism" or our "dissatisfaction with the New Right" does and should count "in deciding which is the best interpretation of a work of art," so must political convictions determine our interpretation of law. Whereas one judge may discover in accident law only "an attempt to re-enforce conventional morality of fault and responsibility," a judge who believes that the main goal of law is economic "will see in past accident decisions some strategy for reducing the economic costs of accidents over all." Each chooses whatever interpretation of accident law strikes him as "a sounder principle of justice." And therefore, whatever the judge does, he cannot be neutral; the "interpretation of law is essentially political."

In law as in literature, a judge who attempts to keep his decisions free of his political convictions must be trying to discern the "intentions" of lawmakers. He must be assuming that the intention of a law is "some complex psychological fact locked in history waiting to be winkled out from old pamphlets and letters and proceedings." In reality, however, the intention of a law is not something "waiting to be discovered even in principle" but something "waiting to be invented."

Those who pretend to be respectful of the text of the Constitution by engaging in "semantics" (Dworkin's description of arguing from what the Constitution says) are really displaying their indifference to the text because they are not concerned with "the 'point' of having a Constitution or why the Constitution is the fundamental law." They suppose that the Constitution is law because it "was accepted by the people in accordance with the procedures stipulated in the document itself." In fact the Constitution is law because the people accept the principles of political morality that it embodies. The judge cannot discover those principles by "finding the law just 'there' in history." He has to construct "a political theory showing why the Constitution should be treated as law." Thus Dworkin concludes that the judge is obliged to invent an intention for the Constitution.

As a good example of the necessity for such invention, Dworkin offers the equal treatment clause, which guarantees equal treatment without regard to race in matters touching people's fundamental interests. It may give rise, he says, to two opposed interpretations, depending on what the judge takes to be a "matter of fundamental interest." If he regards education as a matter of fundamental interest, he will find racially segregated schools unconstitutional; if not, he will find them to be lawful. He cannot escape choosing between these descriptions by trying to *discover* the "intention" of the clause; and if he tries to rely on the views of earlier judges, he is only treating them as legislators. The judge is therefore obliged to decide

> that one rather than the other description is more appropriate in virtue of the best theory of representative democracy or some other openly political grounds.

That is why all the opinions about the equal protection clause in the Constitution are either "distinctly liberal or radical or conservative." And this proves that

> there can be no useful interpretation . . . which is independent of some theory about what political equality is and how far equality is required by justice.

Conservative lawyers who pretend to be neutral by using "an author's intentions style of interpreting this clause" are trying to hide the role played by their own political convictions in their "choice of interpretation style."

Since deciding cases is essentially a matter of moral judgment, whatever indeterminacy there appears to be in the law must be due to an "indeterminacy or incommensurability in moral theory." Whether there are "no right answer cases" is not then "an ordinary empirical question." Anyone who denies that there is a right answer must be defending "some idea of skepticism or of indeterminacy in moral theory." Although Dworkin modestly does not claim to have refuted such skepticism, he is certain that no one has yet proved it. And that is how he reconciles his "one right answer thesis" with his new theory.

Put simply, Dworkin's dominant thesis in this volume is that what the law is cannot be distinguished from what it ought to be. Whereas the "one right answer thesis" emphasized the completeness of the law, the new theory of interpretation says explicitly that judges cannot interpret the law as it is but must necessarily decide what it ought to be. They must, in other words, legislate in accordance with their idea of what is right. And Dworkin accordingly insists throughout that judges must make "political decisions."

What supports this conclusion is Dworkin's contention that all interpretation rests on "normative beliefs." It is rendered plausible by something that Dworkin mentions only parenthetically, that "normative beliefs" include every sort of presupposition, theoretical and practical, intellectual and moral. Ordinarily, interpretation is distinguished from evaluation by the different kinds of presuppositions that each entails. By equating "normative beliefs" with every sort of presupposition, Dworkin makes it impossible to distinguish interpretation from evaluation. He thus establishes that interpretation entails evaluation. But he has reduced his conclusion to a tautology because interpretation has become a synonym for evaluation. His theory says nothing more startling than that all interpretation rests on presuppositions, which only the most extreme of empiricists would deny. It no more supports Dworkin's conclusion that what the law is cannot be distinguished from what it ought to be than the fact that atomic fusion postulates an elaborate scientific theory makes it impossible to explain what atomic fusion is without advocating that atom bombs be made and dropped.

All that the new theory of interpretation really establishes is that Dworkin denies the logical distinction between "is" and "ought." This has already been recognized by those commentators who describe him as a natural law theorist. But they have overlooked the radical nature of his denial because they believe that traditional natural law theory also rejects the is/ought distinction. In fact, nothing of the sort can be found in the classical exposition of natural law by Aquinas. Even if Aquinas is taken to advocate that a subject should disobey unjust laws, what matters is that Aquinas considers unjust law to be law. When he requires that law be properly promulgated, he establishes a criterion for what law *is* independently of any judgment about its desirability. And nothing that Aquinas says about how law is perfected by the justice of its substance qualifies his recognition of the validity of duly promulgated law.

When modern natural law theorists rest the validity of law on its justice, they depart radically not just from Aquinas, but from all traditional views of law, because they deny that the is/ought distinction is at the heart of the rule of law. That distinction is so important because the purpose of law is to protect the members of a civil association against arbitrary impositions by distinguishing between authority and power. The judge is distinguished from a legislator and obliged to decide what the law is, not what it ought to be, for the same reason that the umpire is obliged to decide on the existing rules without altering them: Otherwise there could be no stable rules. And without stable rules it is impossible to distinguish between authority and power.

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What Dworkin's denial of the is/ought distinction implies in judicial practice is demonstrated in his discussion of the Weber case. The issue was whether the Civil Rights Act made it unlawful for an employer, the Kaiser Aluminum Co., to use a racial quota system in order to increase the number of black workers in skilled jobs. While the majority of the Supreme Court held that the statute permitted affirmative action plans of this sort, there were dissents from Justices Rehnquist and Burger, which Dworkin criticizes.

He describes Rehnquist's argument—that "the meaning of the words of the act as they stand" clearly excludes the Kaiser plan—as an appeal to "legislative intent" which exploits an ambiguity in that notion. To explain that ambiguity, Dworkin introduces a distinction between "institutionalized intent" and "collective understanding." The former exists where there is a preamble stating the purpose of the act, and though he argues elsewhere that such words are bound to be as ambiguous as any other, here Dworkin says that they could be used to discover the intent of the statute. But as there is no such preamble to the Civil Rights Acts, Rehnquist must mean, Dworkin concludes, "collective understanding." Since there cannot be any "pertinent collective understanding" where there is no "institutionalized intent," there are only two competing justifications for the act. Rehnquist made the mistake of assuming that he could choose between such justifications without making a political judgment.

Justice Burger's argument is dismissed more brusquely because Burger said that, had he been a congressman, he would have voted to permit plans like Kaiser's. But as in fact Congress had made such affirmative action illegal in the Civil Rights Act, he found that the Kaiser Plan infringed the Civil Rights Act. Dworkin considers Justice Burger's interpretation of the Civil Rights Act wholly irrational because Burger confessed that he himself approved of affirmative action. Here Dworkin repeats an earlier comment on the impropriety of the judges in the Fugitive Slave cases who, though known to oppose slavery, held that the law required the fugitive slaves to be returned to their masters. Dworkin found that decision, like Burger's dissent, "perplexing" and accused the judges of holding an inadequate theory of jurisprudence because they decided contrary to their own moral convictions.

More generally, Dworkin argues that the words of the Civil Rights Act are proved to be indecisive by the fact that the judges disagreed. What Congress had done is therefore "indeterminate," and the court is obliged to decide on the fairness of affirmative action. In doing so, it is not displacing a congressional decision but supplementing it. Whereas Dworkin condemns the court's decision in the Bakke case, because they faced the same issue but refused to resolve it, he praises the Weber decision because

> the majority recognized rightly that they were confronted not with an exercise in reconstructing the mental states of a variety of senators and congressmen, but a serious and complex issue about the nature of discrimination and the fairness of affirmative action.

By treating Rehnquist's attention to what the words of the statute meant as an effort to scrutinize the psyche of the legislators, and by dismissing as "irrational" Burger's distinction between his own preferences and what the law as it stood actually required, Dworkin disposes without argument of attempts to interpret the established law. His distinction between "institutionalized intent" and "collective understanding" only re-enforces the circularity of the argument that he uses to deny that what the law is can be distinguished from what it ought to be.

The citizen is no more obliged than the judge to make this distinction. Dworkin stipulates that civil disobedience should be based on principle or rights and not on judgments of policy or collective goals, and he confines his approval to "integrity-based" and "justice-based" civil disobedience. But he also sanctions "non-persuasive strategies" and opposes prosecuting the transgressions that they entail because it is wrong to suppose that "if someone has broken the law for whatever reason and no matter how honorable his motives, he must always be punished because the law is the law." Dworkin advocates that, regardless of what the law requires, a person whose motives are superior should not be treated like an ordinary criminal. Besides, Dworkin introduces an instrumental argument, such as he elsewhere rejects, that it makes no sense to punish someone unless it "will do some good, on the whole, in the long run, all things considered."

But Dworkin's chief argument for civil disobedience is that even though the court has the last word and we must generally obey its decisions for "practical reasons," we are entitled "to reserve the right to argue that the law is not what they said it is." He accordingly commends the reporters in the Farber case for refusing to obey the court's order, even though he believes that the court was right in ordering them to produce their information. He pronounces it "useless" to maintain that they should have obeyed and then contested the order later by legal means. What matters is that they were defending justice:

> They believed that their rights would have been violated and the principles at stake compromised. . . . They were wrong, but our legal system often gains when people who believe that law and principle are on their side choose not to comply with orders they believe illegal. The courts should show not outrage but courtesy and even gratitude to people like Myron Farber, who act at personal sacrifice to provide the constant judicial review that is the constitution's last protection.

In general Dworkin regards civil disobedience as a laudable "exception of some kind to majority rule," the legitimacy of which is well established by the power of judges to hold legislative acts unconstitutional. The person engaged in civil disobedience is doing the same thing as the Supreme Court does when it strikes down legislation as unconstitutional—preventing the majority from abusing its power at the expense of the minority. The United States Constitution sanctions such behavior, according to Dworkin, because it recognizes "abstract political rights as legal rights." To protect "abstract political rights" is the purpose of efforts to override legislation and, whether done by judges in the Supreme Court or by private citizens engaged in civil disobedience, they are equally welcome.

It might be argued that maintaining the distinction between what the law is and what it should be is of no importance as long as judicial decisions remain objective. All that would matter then is that there be some objective ground for judicial decisions other than the established laws. And this is what Dworkin claims to have discovered. He repeatedly denies that his judges are allowed to "make up the law wholesale" and insists that they are constrained by the political theory that they are obliged to construct. But as critics have pointed out, the nature of that theory has remained elusive. Is

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there only one political theory or many? Is a political theory an interpretation of the law as a whole which seeks to establish the most consistent line of argument in past statutes and decisions, or is it a construction of the law designed to satisfy certain moral requirements regardless of its fit with the "legal materials"? If there can be more than one political theory, are they all equally objective and desirable? If not, what is the criterion for choosing the best one, and what renders that criterion acceptable? If the theory is designed to satisfy certain moral requirements, how do these become manifest and what renders them objective or indisputable? Dworkin has endorsed all these conflicting possibilities, sometimes within the same context, but without answering the questions that they raise. In this volume, however, he more consistently emphasizes that what matters is the correctness of the judge's political theory. And he leaves us in no doubt that the correct theory is "liberalism."

Far from attempting to derive liberalism from more fundamental ideas about the capacities or aspirations of human beings, Dworkin points out that it does not rest "on any special theory of personality." Instead, liberalism seems to be an emanation from American public opinion since the thirties or perhaps from the U.S. Constitution. Whatever its derivation, it is the opposite of "conservatism." Not many conservatives would agree, but according to Dworkin they believe that they know what a good life is and expect the government to promote it. Liberals have no such pretensions. They recognize only one moral principle, "that human beings must be treated as equals by their government," which obliges the government to maintain complete neutrality to different ways of living. Nevertheless, liberalism is not a form of skepticism. It insists on the principle of equal concern and respect "not because there is no right and wrong in political morality but because that is right." The principle of equal concern and respect appears to be what Dworkin calls a "moral fact" and no more indeterminate or disputable than the fact that all men are mortal. In short, liberalism is a synonym for justice, and a judge who decides in accordance with liberalism is necessarily doing what is just.

From his principle of equal concern and respect, the liberal derives a number of practical and inescapable conclusions. Unlike the conservative, he would qualify the decisions of the market, as well as rights to property and freedom of contract, in order to produce a more equal distribution of wealth. Where people have different talents and handicaps and inherit more or less wealth, "it is obviously obnoxious to the liberal conception" to allow one man to have more because "his father had superior skill or luck." The liberal therefore expects the government to intervene to redistribute goods. And if he finds that an adequate distribution cannot be achieved within a capitalist economy, Dworkin comforts us with the assurance that the liberal would substitute "socialist for market decisions over a large part of the economy."

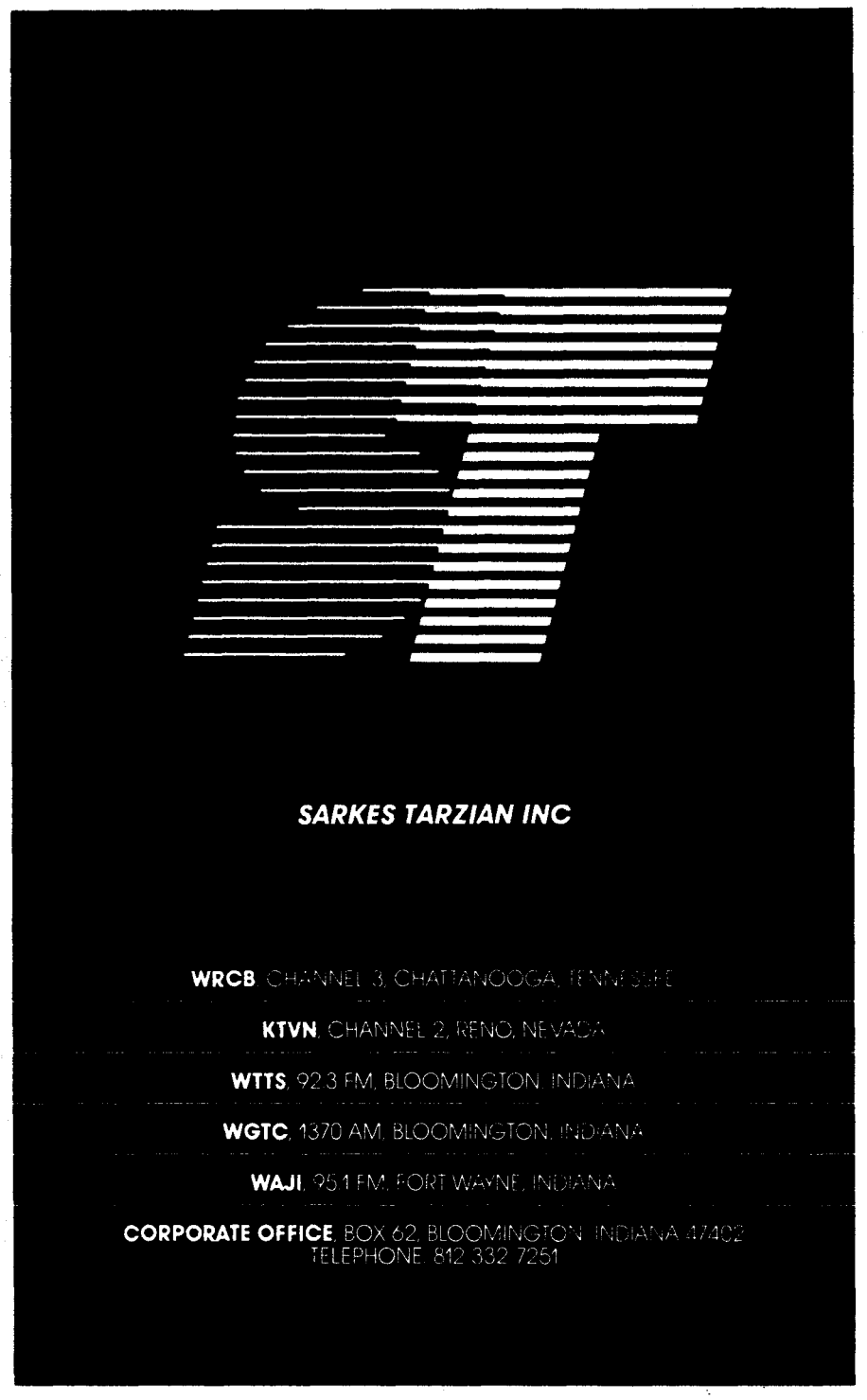
In the same way, the liberal would modify representative democracy. Here Dworkin introduces a distinction between "personal" and "external" preferences that is familiar from his earlier essays. The personal preferences or satisfactions of an individual designate goods or advantages that he would like to have assigned to himself. His external preferences designate what he would like to have assigned to others. Wanting a swimming pool because one likes to swim counts as a personal preference. Wanting a swimming pool because one thinks that it would be good for someone else is an external preference. Dworkin goes on to argue that people are not treated with equal concern and respect as long as public decisions made by a vote of the majority are allowed to rest on external preferences because doing so allows the majority to vote twice—they decide not only what they should get but also what others should get. Since everything in a democracy is decided by the votes of the majority, the only way to protect minorities against such double counting is to give their "rights" precedence over the goals of the majority.

These "rights" are not liberties deemed to be so valuable that no other consideration should be allowed to interfere. They are simply any preferences that the majority does not share. And they arise as a correction to the likelihood of a majority vote that would prevent the satisfaction of the minority's preferences. When, for instance, a majority votes against allowing homosexuals to pursue their sexual tastes, the majority are declaring, Dworkin says, that they consider homosexuals to be of inferior character and unworthy of respect. Homosexuals are then being denied "equal concern and respect" and they are therefore being deprived of their "rights." To insure that everyone is treated with equal concern and respect, the liberal

> needs a scheme of civil rights whose effect will be to determine those political decisions *that are antecedently likely to reflect strong external preferences* and to remove those decisions from majoritarian political institutions altogether. [Italics added]

His principle of equality leads the liberal to oppose also any restrictions on pornography. For when a government prohibits pornography, it is violating the right of pornography lovers not to have their liberty restricted because "their officials or fellow-citizens think that their opinions about the right way for them to lead their own lives are ignoble or wrong." Restricting pornography thus violates the "right to moral independence." And this makes it clear that all similar restrictions, as for instance on live sex shows, cannot be consistently advocated because they, too, would be treating the audience of such shows as people having worse characters than their fellows. Any other kind of argument, such as the "goal-based strategy" of the Williams Report in Britain, is vulnerable to being defeated by the charge, which may well be true, Dworkin concedes, that "the attitudes about sex displayed or nurtured by pornography are demeaning or bestial or otherwise unsuitable for human beings of the best sort." But no such argument can win out against the "right to moral independence."

Although the argument that pornography is inferior as literature or encourages crime hardly shows respect for its readers, Dworkin says that it does not deny "the right to moral independence." But as we can never know that it is the only motive that inspires the opposition, the "impact of adverse moral convictions can be neither excluded nor measured." All opposition to pornography should therefore be "deemed to be corrupted by such convictions," and no restriction of pornography is permissible. Only one weak ground for restriction is acknowledged by Dworkin, that "the damage done to those who are affected adversely is not serious damage, even in their own eyes." Relying on that defense is a compromise, but at least it is "not a compromise" of the right to moral independence.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Dworkin's reformulation of his theory of interpretation and his discussion of liberalism make it clear that what, in his view, ought ultimately to constrain the judge is his allegiance to the principle of equal concern and respect which enables him to discern certain "rights." These rights are "abstract" because they are not defined by statutes or past decisions, but they are nonetheless objective and as indisputable as the principle of equal concern and respect. It is this relation between rights and the principle of equal concern and respect that accounts for Dworkin's insistence on an opposition between "rights" or principles and the "goals" or policies pursued by the majority who vote for legislation.

The opposition between rights and goals carries an echo of the traditional view that the law ought to set conditions for everyone to observe, not assign satisfactions to anyone, just as the rules of a game do not assign points or decide who should win. By describing rules of law as ways of achieving "goals," Dworkin suggests that they assign advantages. Therefore, when he says that "rights" should be "trumps" over "goals," he might seem to be saying that the law should not be used to distribute advantages.

But the "rights" ordinarily associated with the rule of law emerge out of established legal rules which define conditions to be observed. A man hurt by careless driving has a right to compensation because everyone is obliged by the established rules to take due care in driving. In Dworkin's theory, however, "rights" *are opposed to rules of law* because he identifies the conditions set by rules of law as the "goals" of the majority. When judges decide in terms of "rights" in Dworkin's sense, they are assigning advantages to those denied them by the established rules.

Any doubts about whether Dworkin's emphasis on rights implies that established rules of law should be ignored are definitively settled by the leading essay in this volume, originally a lecture to the British Academy, on "Political Judges and the Rule of Law." Here he plainly presents his theory as an alternative to the "rule-book ideal," which Dworkin describes as the belief that

> the power of the state should never be exercised against individual citizens except in accordance with rules explicitly set out in a public rule book available to all. The government as well as ordinary citizens must play by these public rules until they are changed, in accordance with further rules about how they are to be changed, which are also set out in the rule book.

But instead of taking this to be a definition of the rule of law, Dworkin argues that it is only one way of understanding law, which should be rejected and replaced with his "rights conception." He emphasizes that when his theory requires judges to rely on principles which do not appear in the rule book, it is requiring judges to do what the rule-book ideal prohibits—to legislate and to make what he calls "political decisions." Finally, we are left in no uncertainty whatever that Dworkin rejects the traditional insistence on the separation of powers between judges and legislators. Nor does he claim, as he did earlier, to be merely describing the true character of adjudication; he announces that he wishes to promote a radical revision of the idea of law.

If Dworkin's rights are not fixed by being recorded in statutes or judicial decisions, how fixed are they? The answer can be found in Dworkin's discussion of two cases where the issue, as he sees it, turns on the distinction between rights and goals.

In the Farber case, a reporter claimed a privilege not to disclose materials gathered during an investigation of a crime which, when published, led to a

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conviction. Dworkin argues that the issue is not about "rights" but only about "policy"—whether the public would be better off if reporters had special privileges. The notion that the public "has a right to know" is condemned by Dworkin for being "deeply misleading" because "it is wrong to suppose that individual members of the community have, in any strong sense, a right to learn what reporters might wish to discover." Even if not publishing the story would have made the average citizen worse off, that would still be "a matter of the general welfare, not of any individual right."

Dworkin takes a different view of the right to know in the Snepp case, where a CIA agent, who had agreed in writing not to publish anything without permission, published a criticism of the CIA in the Vietnam war without having submitted it. In this context, preventing the CIA agent from publishing his information is condemned by Dworkin for violating "the rights of those who want to listen to what Snepp wants to say." Letting the public listen to someone who has information that they would like to hear is declared to be "distinctly not a matter of policy: It is not a matter of protecting the majority will or of securing the general welfare over the long run." The "right to listen," Dworkin says, is "part of the right to participate in politics as an equal." By preventing the CIA agent from publishing, the majority is violating "the right of every potential listener who believes that his own participation in politics would gain, either in effectiveness or in its meaning for him were he to listen to that speaker."

Whatever the merit of Dworkin's conclusions about these cases, his use of the distinction between "rights" and "goals" in reaching those conclusions demonstrates how easily every issue can be turned into a question of either. Nor is it surprising that rights and goals should be so easily interchanged, since there is no fixed content for "rights." They are determined by the preferences of the minority. But as there are no God-given majorities or minorities and today's minority might be tomorrow's majority, the content of rights is bound to shift with every change in public opinion.

Dworkin himself points this out when he says that "rights" have to be defined differently in each case depending on the "goal" to be "trumped" and that "liberals will disagree about what is needed." And when Dworkin argues that the tyranny of a majority can be prevented by allowing judges to protect the rights of whatever minority is "*antecedently likely*" to be despised by the majority, he is permitting anyone's guess about the state of public opinion to justify imposing the will of whatever minority he chooses to discover. Indeed, if Dworkin were true to his argument, he should now be championing not the rights of pornographers or homosexuals but of those who advocate the restrictions that have been removed by a majority vote in the legislature, since they have thereby become the minority. Rights swinging in the wind of public opinion can hardly provide a secure ground for judicial decisions.

It remains to consider whether the principle of equal concern and respect, from which Dworkin deduces the one right political theory of liberalism, is, as he supposes, indisputable. What distinguishes Dworkin's principle from other egalitarian doctrines is his emphasis on the distinction between "external" and "personal" preferences and the evil of allowing external preferences to determine public decisions. What then makes external preferences so evil? As Professor Hart and others have pointed out, external preferences are nothing worse than *disinterested* preferences. When external preferences influence a vote, all that happens is that one person's preferences are being supported by those of another. If, for instance, heterosexuals of a liberal disposition decide the vote in favor of abolishing restrictions on homosexuals, then the vote will have been determined by "external preferences." But no one is being allowed to vote twice. If that were true, denying the vote to heterosexuals would eliminate the double counting. But in fact preventing heterosexuals from voting would be a gross violation of one man, one vote. In short, what Dworkin presents as if it were a purely procedural argument with which no one could disagree—that counting in external preferences is unfair—is no argument at all.

What really sustains his condemnation of counting in external preferences is a wholly different argument—that when people vote on a question and win, they are necessarily saying that the losers are inferior and unworthy of their respect. But there is no such necessity. It is obvious that we can disagree with others for a great variety of reasons. We may even vote against them out of a tender concern for their self-respect. Indeed democracy as we know it presupposes that we can and should respect those with whom we differ. But if injustice consisted, as Dworkin teaches, in denying satisfaction to the preferences of a minority, then a tyranny which prohibited all publications or all sexual relations would be preferable to a democracy that censored pornography or restricted homosexuals. And as democratic procedures necessarily reject whatever the losing minority prefers, all just men would have to abandon democracy.

There is much to be said, and much has been said, about the desirability of mitigating the constraints suffered by people who hold unpopular views. Generally, such discussions advocate arrangements that reduce the occasions on which it becomes necessary to make public decisions about which preferences should have precedence. Reducing the area controlled by public decisions and securing conditions in which individuals can pursue the projects they prefer without interference is the substance of the traditional concern with preserving "liberty." The echo that it carries of this concern with liberty lends credence to Dworkin's defense of minorities. That his doctrine is designed for a different purpose, however, is evident from his contention that *"liberty" is not a right*, that liberty should always give way to "equality," and that injustice consists wholly in a denial of equality, not liberty.

Rights swinging in the wind of public opinion can hardly provide a secure ground for judicial decisions.

Whatever its merits, the principle of equal concern and respect cannot bear the burden that Dworkin puts upon it. He admits, unwittingly, its defects as a moral principle when he says that it can as easily justify the conservative view that a government should promote the good life as the liberal view that it should be neutral. Herbert Hart's criticism says all that needs to be said:

> A notion of equal concern and respect, hospitable to such violently opposed interpretations, does not seem to me to be a single concept at all. . . . Though the claim that liberal rights are derived from the duty of governments to treat all their citizens with equal concern and respect has the comforting appearance of resting them on something uncontroversial . . . this appearance dissolves when it is revealed that there is an alternative interpretation of this fundamental duty from which most liberal rights could not be derived but negations of many liberal rights could.

That his rights conception cannot serve as an adequate account of the idea of law is also recognized by Dworkin, though not explicitly, in more than one context. He says, for instance, that

> it is both unnecessary and too crude to look to rights for the only defense against either stupid or wicked political decisions.

More outspoken is his statement that

> we need rights, as a distinct element in political theory, only when some decision that injures some people nevertheless finds *prima facie* support in the claim that it will make the community as a whole better off on some plausible account of where the community's general welfare lies.

Such passages indicate that the rule-book conception of law cannot be replaced by the "rights theory," as elsewhere Dworkin tells us it can, for the simple reason that the rights theory is not designed to provide a philosophy of law.

That is the only reasonable explanation as well of Dworkin's indifference to the fact, which he himself points out, that his doctrine cannot account for criminal law. His arguments against restrictions on homosexuals do not exclude, he assures us, all legislation about sexual behavior because "laws against rape, for example, can be justified *by appealing to the ordinary interests of people generally through a theory of justice that does not rely on popular convictions* [italics added]." Decisions about criminal law, made by a majority vote, are permissible because every such decision

> is equally in or against the antecedent whole interest of each person, by which I mean the combination of his or her moral and bare interests.

People may disagree about how crimes should be defined and what penalties should be imposed,

> but since moral harm is an objective matter and not dependent upon particular people's perception of moral harm, no one will think that the majority's decision is unfair in the sense that it is more in the interests of some than others.

None of this establishes that laws against rape and murder do not deny equal respect to a minority in the same way as laws restricting pornography. The majority who pass or sustain laws that order those found guilty of rape or murder to be punished are hardly likely to take a flattering view of the minority of criminals. But that does not seem to worry Dworkin. He does not say that since the minority who are disposed to commit rape or murder are despised by the majority, they are being deprived of equal concern and respect. Yet he offers no grounds for

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distinguishing the minority of criminals from the minority of pornographers or homosexuals. And, on the other hand, if the "ordinary interests of the people through a theory of justice" can provide the grounds for laws against rape and murder, why should not the same grounds serve for other laws? Our great statesmen and philosophers have all argued that the proper basis for deciding what laws are desirable is not the preferences or interests of anyone but a concern for the community as a whole, what has been called the *res publica*, the common good, or the public interest. Aristotle, for instance, gave as an important reason for preferring to be governed by stable rules of law that they were made when the circumstances in which they would take effect were unknown and therefore they would not be distorted by attempts to satisfy any particular preferences.

We are obliged to conclude that *A Matter of Principle* offers no more adequate an explanation of law than did *Taking Rights Seriously*. And if, as Dworkin suggests, that has not been his aim, what is his purpose in teaching that all judicial decisions are political decisions, and that the "rule-book conception" of law should be abandoned? The answer is suggested by his discussion of procedure.

According to the "rule-book conception" of law, the obligation to observe a law or to obey a judicial order does not depend on whether it is thought to be desirable, good, or just but on whether it has been duly authorized and is "authentic." A law or decision is known to be authentic by whether it has been made in accordance with the procedures laid down in established rules of law. And the insistence on identifying authentic legal decisions in this manner is designed to maintain a sharp distinction between power and authority, because otherwise there can be no security against arbitrary exercises of power.

Dworkin, however, has no use for procedural considerations of any kind. He denies that what makes the Constitution law is that it was accepted by the people in accordance with "the procedures stipulated in the document itself." He takes the only issue about civil disobedience to be whether it is designed to promote a just cause, not whether it is an authorized procedure. According to Dworkin, the purpose of procedure or "process," as he calls it, is to distribute "political power." Procedural rights in criminal suits, he says, are designed "to compensate in a rough way" for corruption by the interests of the class that administers it. More generally, procedures are chosen for what they contribute to democracy. He acknowledges that in the West democracy is identified with procedures "defined independently of any description of the decisions actually reached." He prefers, however, to define democracy in the manner of the "people's democracies," as a system for maintaining equality. But whereas the "people's democracies" aim at an "equal distribution of wealth," Dworkin identifies democracy with the equal distribution of political power. And he sees procedure as a means for achieving equality in power.

This is illustrated in Dworkin's discussion of whether Marxist publications should be censored, which he describes as a procedural question. He acknowledges one good argument against prohibiting censorship, that it would reduce the power of a democratically elected legislature and hence of the majority to decide the conditions of their life. But he meets that argument with another, that political power would also be reduced, and in a more important way, by censoring Marxist publications. Here Dworkin repeats his earlier assertion, that there can be no equality of power if "those who object radically to the political structure" are not permitted

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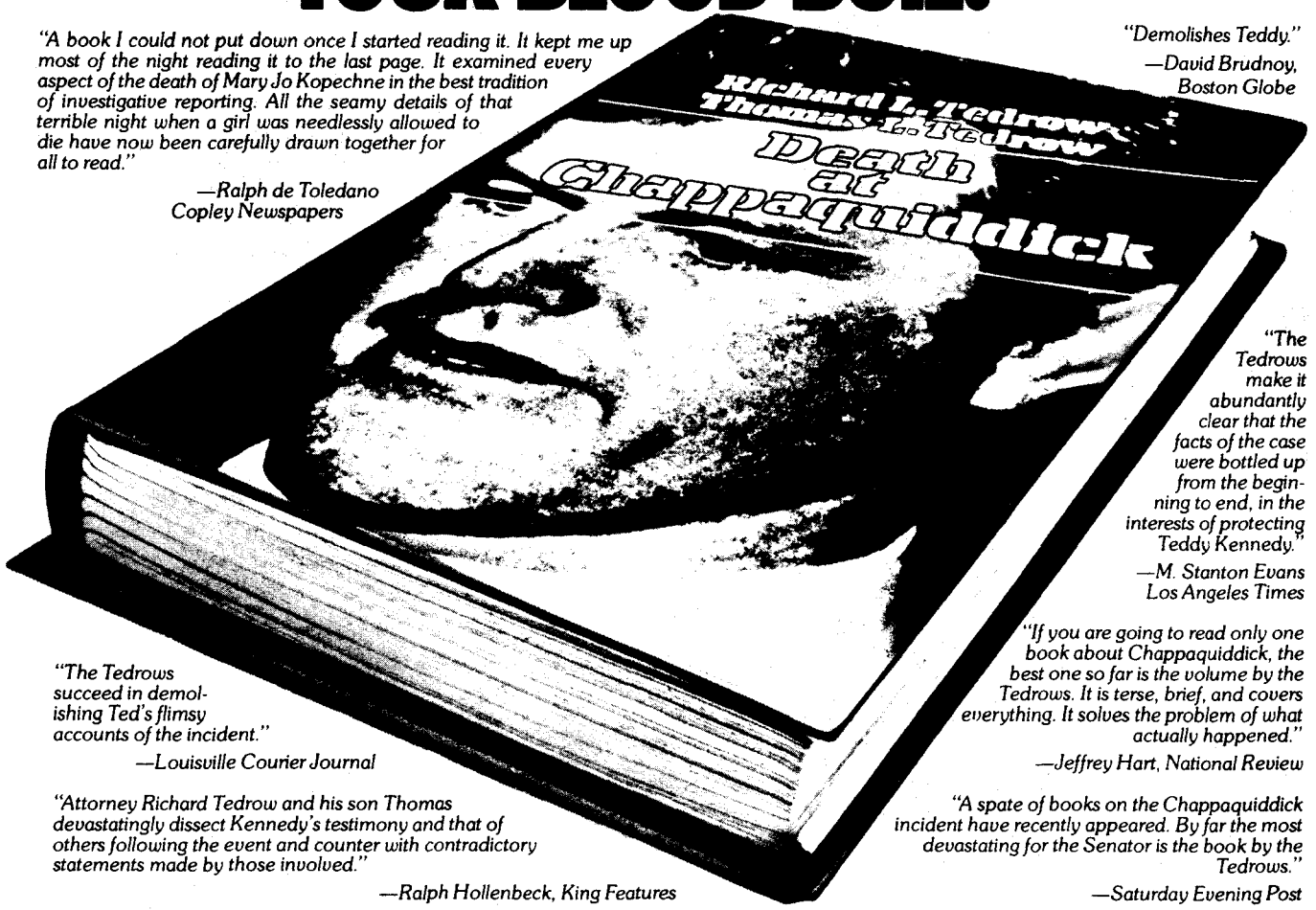

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"to make their protests in language appropriate to their sense of occasion." Otherwise, free speech would not have "the same value to them as it has to a member of the bourgeois establishment." By making the distribution of power more unequal, censorship of Marxist publications would damage democracy.

This argument demonstrates, Dworkin believes, that questions of procedure cannot be decided without regard to "substantive political questions." The Supreme Court cannot take refuge in procedural arguments based on "the intention of the framers"; it is bound to make "important political decisions." As long as judges confine themselves to deciding whether the stipulated procedures have been observed they will merely be maintaining the existing distribution of power. Only by making political decisions can the court call "some issues from the battleground of power politics to the forum of principle." And that is where the hope for the future lies, because it promises

> that the deepest, most fundamental conflicts between individual and society will once, someplace finally become questions of justice. . . . I call it law.

It has, of course, been recognized since ancient times that the purpose of constitutions is to distribute power by deciding who is qualified to vote and to hold office. But the point of such stipulations is to make it possible to translate all future disputes into issues about procedure, that is to say, into disputes about whether the law has been observed. In Dworkin's world that appears to be impossible. His theory of interpretation presupposes that all human utterances are instruments for obtaining satisfactions or power, what is called the "ideological view of language." Achieving greater power is also the only objective that Dworkin considers in his discussion of procedure. And certainly if, as he insists, the principle of equal concern and respect encapsulates all of morality, then human life is nothing but a struggle for power. Neither the aspirations served by the traditional idea of law nor the rational capacities that have enabled the rule of law to flourish appear to have impressed Dworkin. He has reduced law to an instrument for redistributing power.

He would have us believe that his theory rests on indisputable "moral facts." Unfortunately, his fundamental moral principle is either empty or highly disputable, and he connects law with morality only by rejecting the logical distinction between "is" and "ought." Instead of giving law a moral dimension by repudiating that distinction, the rights theory makes it impossible to tell an authentic legal decision from an arbitrary exercise of power. It allows, indeed obliges, judges to ignore the law in order to satisfy the wants of minorities. And this undoubtedly justifies Dworkin's claim that his theory corrects "the majoritarian bias of democracy."

But a secret is concealed in the thicket of Dworkin's prose—that "the majoritarian bias" is corrected by enabling minorities, who cannot persuade their fellow citizens to agree with them, nevertheless to impose their will. In short, if Dworkin's rights theory were to triumph over "the rule book," minorities who now fail to get their way by constitutional means would be given the power to do as they please. Whether the lucky minorities would be rapists, vegetarians, or Communists remains somewhat unclear. But no one is likely to be troubled by liberty. □

VIGILANTE: THE BACKLASH AGAINST CRIME IN AMERICA

William Tucker/Stein and Day/$16.95

Mary Mainland

Recent polls indicate that in November 1986, for the first time in the state's history, California voters are likely to remove from office a justice of the state Supreme Court. Four of the five justices who constitute the court's liberal majority will be on the ballot for reconfirmation and all four are encountering vigorous opposition. Most clearly in trouble is Chief Justice Rose Bird, with one poll showing that only 28 percent of the electorate supports her.

Despite overwhelming passage by the voters in 1978 of a death penalty initiative, there have been no executions in the state since 1967, and Bird has become the chief symbol of the court's consistent refusal to permit any. In the almost forty capital cases she has considered during her eight years on the court, not once has she voted to affirm the death penalty. She claims she would do so in a "constitutionally proper" case, but the likelihood that such a case will be among the more than 160 death penalty appeals pending seems remote. No matter how heinous the murder or how blatantly guilty the defendant, Bird has always found some evidentiary error or prejudicial jury instruction to justify reversal of the penalty, if not the conviction.

The defensive tack taken by Bird and her supporters is to portray the court's liberal majority as the beleaguered defenders of the Constitution, courageously resisting an opposition motivated by the desire to "politicize" the court. In a recent interview, Bird accused her opponents of wanting a chief justice "who would pass all their litmus tests," and declared, "My role isn't to be popular. My role is to be just and follow the law."

Vigilante should help stiffen the public's resistance to such moral bullying. Written in an anecdotal, journalistic style, its argument against the judicial philosophy exemplified by the U.S. Supreme Court under Warren and today by Bird and her liberal colleagues is fundamentally a moral one. William Tucker contends the public has a right to expect courts to reinforce people's sense of right and wrong; a justice system that fails to do so encourages those with criminal tendencies and demoralizes the law-abiding majority. He usefully reminds readers that vigilantism has historically arisen when law enforcement was nonexistent, incompetent, or corrupt, leaving the public little choice but to take the law into its own hands. The book's title, however, is misleading. As Tucker points out, there is little evidence that vigilantism is currently either a widespread or a growing phenomenon; even the so-called "subway vigilante," Bernhard Goetz, did not fit the definition: He did not seek out the four youths he shot; they accosted him.

Tucker persuasively argues that the Warren Court's emphasis on the rights of criminal defendants and its disregard for the consequences to law enforcement, and, therefore, to the general public, contributed substantially to the soaring crime rate between 1963 and 1980. Decisions such as *Miranda* and *Mapp*, the 1960 case that made the exclusionary rule applicable to state prosecutions, made it more difficult and more costly to convict the guilty; the focus shifted from the guilt or innocence of the defendant to whether the police had played by the rules. To a large extent, the costs have remained hidden. For example, relatively few cases are thrown out on search and seizure grounds, but the uncertainty created by the confusing and changing rules enunciated by the courts has increased the plea bargaining of felonies down to lesser charges, carrying lighter sentences.

Yet Tucker is careful not to overstate the case against the courts, identifying other influences at work in the sixties. Sociologically oriented criminologists espoused the view that criminals were sufficiently "different" that they could not be deterred by the threat of punishment. Freudian psychotherapists, most notably Karl Menninger, argued that criminals were "ill" and that punishment was therefore a crime. Rehabilitation and treatment came into vogue; punishment and individual responsibility fell into disfavor. The prison population decreased and court decisions effectively abolished the death penalty.

As the price paid by offenders for their conduct diminished, the effects that economic theory would predict appeared. In a stunning reversal of its steady decline between 1940 and 1960, the crime rate began a spectacular rise in 1963. Although it peaked in 1980 and has since inched downward, the incidence of violent crime is today two-and-a-half times what it was in 1960, and property crimes have almost tripled. Moreover, the nature of crime has changed in such a way as to heighten the public's sense of insecurity: Not only is it more brutal, it seems more senseless and random. In the 1960s, 90 percent of killers were known to their victims; today 30 percent of murders are "stranger" killings. Similarly, two-thirds of rapists are completely unknown to their victims, when in 1967 only about half were.

Tucker cannot conclusively prove a causal connection between the rise in crime and the judicial and social trends of the sixties, but he offers some compelling evidence. Much of it will be familiar to those who have read political scientist James Q. Wilson and the work of economists and legal theorists associated with the University of Chicago school of economics. He shows, for example, that such currently popular explanations for the crime rate as demographic changes or poverty are inadequate. Although most crimes are committed by males between the ages of 15 and 24, the rise in the crime rate between 1963 and 1980, particularly of violent crimes, far outstripped the increase in the population within that

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age bracket. At the same time, unemployment and the percentage of the population that was poor both declined.

In one of his most perceptive chapters, Tucker does much to discredit the notion that the death penalty does not deter crime. Although its deterrent effect is difficult to prove statistically, the drastic increase in "stranger" murders offers strongly suggestive evidence. These murders usually occur in the course of other crimes, such as armed robbery and rape, that already carry stiff sentences; in the case of rape, they may even exceed those for some degrees of homicide. As Tucker points out, in the absence of a death penalty, the additional risks attached to killing one's victim are not that great, and the criminal stands to gain by eliminating a principal witness against him. The public, if not the California Supreme Court, seems convinced by the evidence: Approval of the death penalty rose from only 45 percent in 1968 to 75 percent today.

By contrast, the idea that society knows how to rehabilitate criminals has been thoroughly discredited. None of the highly touted rehabilitative methods has proved successful, and one study indicates that psychoanalysis may even increase recidivism.

In retrospect, it is the hubris of liberal jurists and social theorists that seems most striking. They downgraded the importance of punishment and denigrated traditional views of personal responsibility, without having any empirical basis for the belief that they could reduce the incidence of criminal behavior by rehabilitation or psychotherapy. In its zeal to curb police abuse, the Warren Court rendered decisions that could not help but impede law enforcement to some degree, even though there seems to have been no systematic evidence of the extent of police misconduct. Well-intentioned liberals overlooked the fact that those most in need of effective law enforcement are the poor, who are disproportionately the victims of crime and cannot afford to hire private security guards. Residents of high-crime, low-income neighborhoods tend to suffer the most when "the criminal goes free because the constable has blundered." In an earlier era, judges recognized the inequity of such a result; a more "enlightened" succeeding generation of judges self-righteously declared that it was necessary for the enforcement of constitutional rights.

Vigilante has both the virtues and defects of its nonscholarly genre. Occasionally, Tucker's speculations outstrip the available evidence, as in his discussion of the effects on future criminal behavior of an absent or uninvolved father. Critics are likely to seize on such minor lapses as the mistaken attribution to present U.S. Supreme Court Justice John Paul Stevens of former Justice Potter Stewart's famous dictum about pornography, "I may not be able to define it, but I know it when I see it." On the whole, however, the book gives a balanced appraisal of trends in criminal justice during the last two decades, and introduces the general reader to some of the best literature in the field. Its most important service is to undermine the claims to moral superiority and superior wisdom of liberal intellectual elites. Chief Justice Bird is unlikely to reconsider her views as to what justice entails, but the much maligned public may gain more confidence in its own judgment. □

THE NEW DIRECTION IN AMERICAN POLITICS
Edited by John E. Chubb and Paul E. Peterson
Brookings Institution/$26.95; $9.95 paper

Gordon Jackson

What do heavyweight intellectuals of the liberal establishment make of Ronald Reagan? To what extent have his two landslide elections occasioned a reassessment of issues on the left—the sort of ideological repositioning Democratic politicians have been talking about the past few years?

Part of the answer can be found in *The New Direction in American Politics*, a collection of thirteen essays written under the auspices of the Brookings Institution, each dealing with a different aspect of the political landscape left in the wake of the Reagan electoral juggernaut. While Brookings makes its usual disavowal of partisanship, the conclusions of its writers, nine of whom are staff members and the other six academics (two of the articles are by co-authors), betray that clinical haughtiness toward Reaganism characteristic of liberal academia. The volume can, in other words, probably be taken as an effort by Ronald Reagan's critics to pin him down and dissect him.

They retreat from the task, however, into a bastion of proceduralism. No new directions of any substance are discerned. Rather, Reagan's successes are variously attributed to favorable workings of the business cycle, the South's belated embrace of the Republican party, Reagan's performance on television, the Republicans' financial advantage and superior party organization, politicization and centralization of the White House, a Republican bias in the electoral college, and deficit spending. Any real, live issues in there?

Not to speak of. Issues aren't what Reagan is about, as most of the contributors see it. The secrets of his success lie elsewhere. He has a winning personality. He is lucky—the business cycle, for example, happened to be on an upswing in 1984, as D. Roderick Kiewet and Douglas Rivers point out, their thesis being that one need look no further than the business cycle to predict the outcome of presidential elections. Reagan is, simply, an effective tactician—he knows how to play to a TV camera, how to work Congress, how to raise money.

There is nothing he does that his opponents could not learn to do as well. An unspoken message always comes through the jargon: "Rest easy; he'll go away soon, and we can learn from his methods." The wounds of 1980 and 1984 are soothed in the balm of an Elizabeth Drew observation—quoted disapprovingly by Kiewet and Rivers but actually a fair summation of the volume's theme—that Reagan's electoral success was "above all a testimonial to the man as a political phenomenon."

Now, it should be mentioned that the introductory essay, by the book's editors, John E. Chubb and Paul E. Peterson, takes a slightly different position. They credit Reagan with already having accomplished significant political realignment. They too take little account of the President's issues, but for his political skills they hold an almost reverential awe. Giving him more credit for policy victories than conservatives do, they suggest that he has all but dismantled the welfare state, presided over an immense military buildup, and dramatically altered the terms of discussion in Washington. One suspects these gentlemen of performing the prudential function of turning up the alarm bell as counterpoint to the sanguinity of their colleagues.

Whatever their purpose, they come a little closer than their colleagues to viewing Reaganism as conservatives understand it—a triumph of ideas. Chubb, Peterson, et al. need to grapple with the proposition that between about 1964 and 1978 most Americans came to believe certain things about the federal government: that it was undertaking more than it ought to be, claiming too large a share of the nation's resources, eroding the autonomy of individuals, states, and municipalities, principally through the courts, and threatening national security with a feckless reluctance to keep pace militarily with the Soviets.

From these broad axioms have flowed a host of issues that have determined every presidential election since 1968. When the Wallace vote of '68 is added to Nixon's total, it makes four conservative landslides in the five elections. The single exception, Jimmy Carter, ran as a social conservative, a virtual walking morality play.

All these elections were about ideas. About the time Barry Goldwater was going down to a bitter defeat, William Buckley and the early *National Review* writers, having wed economic libertarianism to Burkean traditionalism, were nailing down the theoretical case for conservatism. In the seventies their arguments were conveyed with superb style by an array of opinion journalists unmatched on the left. That decade also saw the discrediting of Keynesianism, and the introduction to Congress by supply-siders of an idea novel to Capitol Hill—wealth has to be created before it can be redistributed. The neoconservatives signed on to lend the movement a bit of academic respectability and to lead the charge on a host of new issues, such as racial quotas, raised by a liberalism gone berserk.

Ronald Reagan rode into office on this tidal wave of ideas, of words that register with deep, gut-level meaning for voters. People vote for or against these ideas; they have been for years, and probably will into the next century.

This, roughly, is the conservative catechism regarding the Reagan phenomenon. Among the Brookings crowd it all gets summed up by the phrase "a highly ideological President"—one small factor among many to be included in the model and fed into the computer. They've got Reagan categorized, put into historical perspective, and rendered innocuous. But the realism they imagine themselves to be practicing explains very little.

Perhaps conservatives are just still

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grumpy about having to say goodbye to the fine, old, value-laden academic discipline of political philosophy, subsumed decades ago by the far less ambitious political science. The Brookings scholars are indeed rigorous scientists. Their essays are replete with graphs revealing such arcana as the amount of money appropriated by Congress compared to that requested by the President. Maybe they really are engaged only in value-free efforts to stake out tiny areas of knowledge. But their conclusions are broad, too broad to be made without examination of genuine issues.

The book is yet another occasion for liberalism to lament the unhappy marriage to academia, with its almost religious devotion to procedure. The liberal-academic intelligentsia has kept itself largely free of the taint of substantive belief dating back at least to Supreme Court Justice Oliver Wendell Holmes, who allowed that he would be unconcerned if the United States were heading toward hell in a handbasket so long as proper constitutional procedures remained in force. Holmes and his intellectual heirs can perhaps be understood to see the American polity as primarily a secular creation of the Enlightenment—a set of clean pipes—while Reaganites regard the nation as the beneficiary of the Judeo-Christian heritage—liquid gold running through the works.

In any event, while Democrats starve for issues, the idea manufacturers give them only bloodless academese. How, for example, might a Mario Cuomo respond to Republican charges of Soviet malfeasance? He can turn to John Steinbruner's essay on political security and learn that "One can guess, and hope, that the two political systems (U.S. and Soviet) are in the process of realizing the consequences of their interaction and of developing the wisdom and discipline to manage it safely. To be able to carry such a process very far, each will have to undergo considerable internal political realignment."

Internal political realignment can do wonders, no doubt. It is "far larger . . . than any political party." Does the Communist ideology present any obstacle to the salutary effects of realignment? Why, in these circles it's just a drollery. Something on the order of supply-side economics, which, by the way, is the single Reagan idea to get any sort of hearing in the book. As usual, it suffers the withering dismissal of being called "a dubious theory" that "remains on the edge of academic respectability."

All this is fine for the faculty club, but elections ultimately hinge on real issues and arguments, and the Democrats need to sink their teeth into a few. The Brookings offering is no help.

Chesterton observed that an organism usually is healthier when it focuses on ends rather than processes. Reagan conservatism is alive, well, and popular because it engages a specific agenda, a concrete set of objectives. Its opponents will not be reinvigorated until their frivolous fascination with the processes of government gives way to an agenda that can win broad approval. □

AMUSING OURSELVES TO DEATH: PUBLIC DISCOURSE IN THE AGE OF SHOW BUSINESS

Neil Postman/Viking/$15.95

Terry Teachout

I have yet to find anybody who thinks the ubiquity of television in America is a good thing. (This is not the same as actively disliking television. Even Lionel Trilling was a "Kojak" fan.) In criticizing television, however, intellectuals tend to fix on a single pernicious aspect and let the rest off easy. Conservatives invariably harp on the mortal sins of Dan Rather, liberals on Ronald Reagan's amazing Teflon coating, sociologists on the consummate vulgarity of "Lifestyles of the Rich and Famous." One would think that Reed Irvine had never watched an episode of "The Cosby Show."

The cultural significance of television, however, goes much deeper than the sticking points of any particular interest group. After all, most people view the world through their television screens. They know what they know about art, politics, manners, even the lifestyles of the rich and famous, solely from having seen them on television. Dan Rather visits us for a mere half-hour each evening, but Captain Furillo and Joan Collins and Kermit the Frog are with us always. To focus narrowly on the effects of a single (and obvious) phenomenon like biased news coverage is completely to overlook the personal effects of television on its viewers and the neighborhood effects of television on society as a whole.

It is with these effects in mind that Neil Postman, a professor of "communication arts and sciences" at New York University and the author of *Teaching as a Subversive Activity*, has written a new book called *Amusing Ourselves to Death: Public Discourse in the Age of Show Business*. Mr. Postman's argument is simple—almost simple-minded. America in the age of the founders was an intelligent, even intellectual society where everybody read and took reading seriously; the invention of television undermined the cognitive foundations of that long-lost Arcadia and is making us "sillier by the minute." Says Mr. Postman:

> Entertainment is the supraideology of all discourse on television. No matter what is depicted or from what point of view, the overarching presumption is that it is there for our amusement and pleasure. . . . Television's way of knowing is uncompromisingly hostile to typography's way of knowing. . . . To enter the great television conversation, one American cultural institution after another is learning to speak its terms.

This historically shaky line of reasoning is not quite as bold and original as the author seems to think. For Mr. Postman to acknowledge the influence of Marshall McLuhan doesn't make his literal recycling of McLuhan's ideas about the relationship between form and content in television any fresher. He is given to wild generalizations that collapse under gentle prodding. ("Every television program must be a complete package in itself. No previous knowledge is to be required." Apparently Mr. Postman has never seen "Hill Street Blues.") And the extreme triteness of his loudest complaints about television doesn't help matters any. Ronald Reagan is a retired actor, Tom Brokaw uses makeup, Pat Robertson has a talk show, Jerry Falwell's mother wears army boots. Planted axioms haunt every page of *Amusing Ourselves to Death*. It would have been graceful for Mr. Postman to confess them, even more graceful for him to have let them rest in peace.

Not that there aren't a few sharp moments in *Amusing Ourselves to Death*. Neil Postman praises Lewis Mumford for having been a "great noticer." (The greatest noticer of our time, of course, has been Peter Drucker.) Mr. Postman himself is capable of some pretty trenchant noticing from time to time. He is absolutely correct, for example, in claiming that "the best things on television *are* its junk," though not quite right (or grammatical) to add that "no one and nothing is seriously threatened by it." He is very good on the Lincoln-Douglas debates, equally good on the network evening newscast as art form:

> All television programs begin, end, and are somewhere in between punctuated with music. . . . If there were no music—as is the case when any television program is interrupted for a news flash—viewers would expect something truly alarming, possibly life-altering. But as long as the music is there as a frame for the program, the viewer is comforted to believe that there is nothing to be greatly alarmed about; that, in fact, the events that are reported have as much relation to reality as do scenes in a play.

Generally speaking, though, Mr. Postman's approach is a bit too casual. There is the obligatory huffy chapter on religious broadcasters which forgets to mention that Billy Sunday was preaching to huge audiences in true Graham-Roberts-Falwell style long before commercial television saw the light of day. There is the obligatory huffy chapter on political advertising which argues that "history can play no significant role in image politics" without stopping to point out that Ronald Reagan, the consummate image politician, uses his skills to advance the agenda of the most historically aware movement in recent American politics. There are the obligatory fatuous meliorist solutions attributed to all the usual suspects. ("I am particularly fond of John Lindsay's suggestion that political commercials be banned from television. . . . I would gladly testify before the Federal Communications Commission as to the manifold merits of this excellent idea.")

Nor does one get the feeling that Mr. Postman has examined real-life television programming with any genuine sympathy or thoroughness. It is characteristic of this book that Mr. Postman should be full of good words about "The MacNeil/Lehrer Report," which he praises as "an unusual and gracious attempt to bring to television some of the elements of typographic discourse" without stopping to wonder why a television show should even attempt to ape the forms of typographic discourse. Or that he should devote four pages of a slender book to the group discussion which ABC appended to "The Day After" without having anything to say about the show itself—a prime specimen of the bizarre and extraordinary phenomenon of "docudrama," a subject which would certainly seem to be right up Mr. Postman's alley.

Had Neil Postman been content to criticize television on an *ad hoc* basis rather than to engage in grand theoriz-

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ing, this might have been a better and more valuable book. But he is a theorizer, and a liberal one at that. Jefferson is his ideal founder, education his all-purpose nostrum for saving America from the hideous morass of showbiz politics. ("And yet there is reason to suppose that the situation is not hopeless. . . . It is an acknowledged task of the schools to assist the young in learning how to interpret the symbols of their culture.") For Neil Postman, television is the force that has made America stupid. The elitism of it might shock him, but Mr. Postman might do well to give some thought to a very different and much less palatable thesis: Television is the force that has made America's stupid people powerful. □

A MAGGOT

John Fowles/Little, Brown/$19.95

Reid Buckley

Beware novels that sport introductory notes, which more often than not are sly and disingenuous disculpations for a work that the author has uneasy suspicions is wanting. John Fowles's *A Maggot* wants starting over, not from the beginning, but from, say, page 52, which is when the intriguing narrative is abandoned for nearly four hundred ensuing pages of tedium and tendentious foolishness.

In his "Prologue," this heretofore masterful spinner of the ambiguous tale confides in us the meaning of "maggot" as he applies it to this work. It is the larval stage of a winged creature. It bears also the more ancient meaning of a whim or quirk. Mr. Fowles then explains that this "fictional maggot was written . . . out of obsession with a theme. For some years before . . . a small group of travellers, faceless, *without apparent motive*, went in my mind towards an event. . . . The riders *never progressed to any destination*, but simply rode along a skyline . . ." (My emphases.)

Well, he botched it. The motives that Mr. Fowles concocts for these eighteenth-century travelers are contrived and outlandish. The riders never truly achieve the kind of organic destination that develops out of character; they are shoved by Mr. Fowles as though they were heavy stage furniture across the floorboards of his imagination, what little development there is being limited to the girl, and that accomplished by mere assertion. What a shame.

And *quel damage* in fact he does to those brilliantly evocative first pages! The time is the early eighteenth century. The landscape is the then brutish wilderness of Devonshire, in England. There are four riders: a severe young man on a mudsplashed bay, who wears a tricorn "trimmed discreetly in silver braid," followed at a few paces by an elderly gentleman in sober dress on a plump horse, he trailed by a third animal on which are mounted two young people, the one a manservant, the other a mysterious girl muffled up "in a brown hooded cloak . . . so that only her eyes and nose are visible." The four are shortly joined by a fifth rider of military appearance, carrying cutlass and blunderbuss, who is evidently a kind of escort.

We learn from what is gossiped about these travelers by the raffish bodyguard, a braggart called Farthing, that the young gentleman has been in disgrace for his spendthrift ways and is even now in debt (a mortal sin in eighteenth-century England). He is being taken by his kind uncle to visit the uncle's rich childless sister, into whose good graces it is hoped the wastrel will insinuate himself. The wench? Oh, she is along to enter into the service of the rich aunt.

But the wench is in reality no maid. She is a London prostitute. We have been tipped off that an elaborate charade is being enacted. The young gentleman, who is addressed as "Mr. Bartholomew," is presented as a worldly, etiolated, capricious, and at times cruel dilettante-scholar (or mystic, or necromancer) who has a strange relation with the lackey, that of master, yet also almost fraternal, too, and maybe (it is strongly hinted) even something else. "Mr. Bartholomew" (we *know* he is Lord-something) is, it seems, impotent when it comes to heterosexual intercourse. He has hired the girl these three weeks in the hopes of exciting a natural lubricity by observing her disport with his servant Dick, but this has failed.

There is, however, a more solemn, ulterior, possibly more evil purpose for the long journey, a climax that will involve the girl meeting with and giving herself to (it is suggested: nothing is made so clear that it will spoil the broth) certain personages from other climes (other worlds?), which sacrificial act will open to the young man the gates of virility and mayhap much else. Oh, yes: there is a good deal more at stake. We learn from a conversation with the "uncle," a Mr. Lacey, who is a professional actor in the employ of "Mr. Bartholomew," that the aristocrat is embarked on a mystical adventure that will terminate, or culminate, on the morrow. It is an end fraught with ominous-sounding mystery. Mr. Bartholomew asks Mr. Lacey how he would react were he to meet with one who "said that he had pierced the secrets of the world to come—I mean not those of Heaven, but of this world we live in . . ." and, further, "that this prophet reveals that the predestinate future of this world is full of . . . endless calamity." He then declares, "Suppose you were he that can read this most awful decree upon what shall come. Is it not best that you should accept to be its only victim? Might not a most condign divine anger at such blasphemous breaking of the seals of time be assuaged at the price of your silence—nay, your own life?"

Claptrap? Sure: but it promises a lot of fun. So long as the writing stays pitched at this entertaining level, not taking itself too seriously, we go along. There are Dark Doings in store, and everything we see is a hall of mirrors. The young gentleman may be a bit of a bore, yet there is something appealing about the girl, bawd that she is. The servant Dick is a deaf-mute but not the idiot we are at first given to understand he is. But just when our interest is most keenly fastened, Mr. Fowles tosses it aside by a strategic blunder.

The narrative virtually stops. We are not present at the denouement promised for the morrow. Instead, we behold an extract from the *Western Gazette*, from which we glean that Dick hanged himself that next day and that Mr. Bartholomew disappeared without a trace. This serves to introduce Henry Ayscough, Esq., a solicitor in the employ of Bartholomew's sire, who diligently investigates what happened.

He interrogates everyone he can search out who met, or saw, or was connected with the young lord's party. What we read are transcripts of appalling length and discursiveness that occupy the bulk of the 150,000-plus remaining words of the novel. They drag out minutiae of circumstance endlessly, going over and over old ground without breaking much new. (I could not quit yawning.) Mr. Fowles intersperses these examinations with fawning epistolary reports from Mr. Ayscough to his principal, and with essays by Mr. Fowles, some mildly interesting, others bristling with prejudice, on the morals and mores of eighteenth-century England. That is, he breaks into his yarn to air anachronistic philosophical and political opinions of deadly earnestness and overwhelming left-secular conventionality, which further encumber an already overloaded narrative.

The pieces of the puzzle at length begin to come together when Ayscough cross-examines the braggart known as Farthing, whose true name is David Jones. Though he had been paid off and dismissed the night before Dick hanged himself and the young lord vanished, he covertly followed the party next morning into a sylvan wilderness, in the heart of which they come upon "a black-mouthed cavern." The girl is dressed as a June bride, poor dollink. She is forced at swordpoint to enter that yawning maw in the mountainside, which reeks of Fear, Foul Deeds, and Dread Destiny. Jones waits all day long in hiding. As the sun sets, Dick emerges, running as though in terror for his life. Half an hour later she, stark naked, comes walking out, "like one who wandered in her sleep . . . like one planet-struck . . ." The young lord, however, has been as if swallowed up!

When Jones runs after the girl, she relates that she was compelled to take part in a satanic rite the climax of which was her rape by Satan himself (who is earlier represented by Mr. Fowles as being a Negro, by the way). She conceives of this unholy union . . . and we lament to ourselves: How flat a surprise Mr. Fowles has boiled in his pot! Can he truly be dishing out a rehash of all the junk we have had come off the presses since *Rosemary's Baby*?

Worse. Now comes the deposition of Mistress Rebecca Lee, the harlot-heroine. Yes, she is with child, but not by the Prince of this World. She told this cockaninny tale to Jones for fear he would ravish her on the spot, which was probably good thinking on her part. She explains now what *really* happened.

When she is obliged to enter the cavern, she sees suspended from the ceiling, under a blinding light, what she describes as a maggot. It is whitish, and has the vermiculate shape; but we quickly catch on that this is *a space ship from another world/time!* She is

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taken into it by a mysterious and very gorgeous lady who is at once daughter, mother, and grandmother, a trinity of persons in one—who kisses her and conducts her on a journey of the spirit. Inside that cabin she peers through a kind of window (we guess a TV screen, presumably 25") that reveals in full color the bliss of a place Mistress Lee dubs "Eternal June." If that isn't enough to make you lament all that fiber you had for breakfast (angels are milling about in bucolic labors, probably talking about social justice), she meets God-the-Father and our Lord, Jesus Christ, whose spirit animates her barren womb. (Are you writhing in embarrassment and maybe a little rage, too, at this point? Wait . . .) Actually, the carnal offices were performed by Dick, who is the brutish allomorph of His Lordship, which is why Dick had to die so that His Lordship would live, like an ear of corn, or something, because His Lordship, at this consummation, is assumed into paradise, becoming like one with the godhead.

This is quite awful rot, turbid, turgid. When the skeptical Mr. Ayscough presses her on these matters, we learn that the Supreme Deity is in actuality not the male principle but the three-in-one goddess, called by Mistress Lee (prepare yourselves) Holy Mother Wisdom, who reveals to Rebecca the awful future: flying machines that drop horrible explosives on cities, mushrooming clouds that destroy everything. That is what the world is coming to: Ronald Reaganism. Possessed of this terrific revelation, Mistress Lee undergoes a complete conversion. She contracts a marriage of convenience with a fanatical semi-literate "prophet" of a splinter sect of the Quakers, patiently awaiting two events: the birth of her blessed child, who, of course, will be a Madam, or Ms., Messiah, and, in her baby, the true Second Coming.

What is all this? Are we supposed to suspend our disbelief, or like Mr. Ayscough, deem these ravings what they are? Indeed, what attitude we as readers are expected to adopt is as opaque as Mr. Fowles's intentions are leaden. Ayscough is presented to us as an intelligent yet narrow male chauvinist of his Establishmentarian age, bound by the conventions, Rebecca Lee as a free and honest feminist embodying the Spirit of Dissent. If she is not a nut, however, is she else than a liar?

Mr. Fowles terminates his novel with an epilogue in which he confides that the daughter is to be Ann Lee, founder of the Shakers. To which we are to exclaim what? Wow? Everything that he ascribes to this poor woman's parentage is, he confesses, an invention, in whose supernatural trappings he himself doesn't—of course—believe, because he is a "convinced atheist." (He tells us so.) But he honors Dissent, since he has "long concluded that established religions of any kind are in general the supreme example of forms created to meet no longer existing conditions. If I were asked what the present and future world could best lose or jettison for its own good, I should have no hesitation: all established religion." And so forth, utterly extraneous to the novel, which has no resolution because of a most dismal failure of craft and imagination.

In his personal esteem, Mr. Fowles has graduated from entertainer to seer. This is a dangerous afflatus. This is when, like Tolstoy in his later years, writing his tracts, storytellers become silly. Tolstoy was canny enough to keep most of this stuff out of his novels, though Turgenev and Flaubert, I read,[1] deplored the philosophical excrescences of the third book of *War and Peace*. In Mr. Fowles's case, a promising entertainment is ruined. □

[1] *Flaubert and Turgenev: The Complete Correspondence,* edited by Barbara Beaumont. Norton, $19.95.

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STANLEY AND THE WOMEN
Kingsley Amis/Summit Books/$14.95

RUSSIAN HIDE-AND-SEEK
Kingsley Amis/Penguin (U.K.)/£2.25

Virgil Nemoianu

One wonders after reading *Stanley and the Women*, which has been the object of such controversy, what may have been the matter with the book? Kingsley Amis is one of the four or five major British novelists in their prime (Murdoch, Burgess, Fowles are some of the others) and any new work by him could be expected to be published as a matter of course. That a public outcry was needed to see in print a work that apparently did not toe the liberal establishment line on women tells us some rather worrisome things about the state of American publishing.

True, *Stanley and the Women* is not one of Amis's best works. But there is much thought and substance in it. While the tone is ominous and dull, the ending is neither despairing nor cataclysmic. Stanley Duke is a reasonably well-to-do editorial bureaucrat, comfortably empty-headed and banal, who would like nothing better than to slide peacefully towards an indifferent old age. He is jerked out of his organic somnolence by the world around him, a world equally empty and confused but much more convulsive. His superiors at work are unhappy with him. His son by a previous marriage, an erstwhile hippie, suffers repeated nervous breakdowns and the blame is pushed onto Stanley and the son's early education. His upper-class mother-in-law snubs him. His wife abandons him for a short while. The casual affair with his colleague, Lucas Lindsey, the most decent and level-headed woman in his life, peters out. To these and other irritants Stanley responds with curmudgeonly bitterness and furious resentment. He is deeply uneasy with the modern world, but he is too intelligent not to realize his helplessness: He is part of it and thus in no position to judge it.

The most chilling parts of the novel have to do with psychiatric terror, a favorite topic with British novelists from Waugh to Burgess. The probing into the private recesses of the soul, the simplifying and bullying jargon, the misunderstanding of motives, the bias about what is normal and social, all these make psychiatry a favorite metaphor for the way in which "social consciousness" coerces the individual and dehumanizes him. Stanley is again helpless when facing Dr. Trish Collings, his son's psychologist, and her minions with their psycho-social babble, but he does find some support from a kindly old-fashioned nurse and an eccentric and abrasive elderly doctor.

While thrashing out wildly against an encroaching world Stanley stumbles, almost by chance, into some deeper, darker, and perdurable realities of the human race. He begins to suspect that the genders are cruel to and perhaps incompatible with each other, so that under the banal pieties of family life and of normal love there always lurk sexual tension and aggression. Predictably, neither Stanley nor his friends grasp too well what they have run into and merely find release in rantings against the "madness of women" during their protracted pub sessions. These are of a kind familiar to most of us: " 'It's no use saying anything to a woman,' said Cliff ultimately and drained his glass." Or elsewhere: "Terrible how they drag us down to their level, isn't it?" Or again: "I would have had a minute or more for Yasser Arafat at that stage rather than a word with a female in a hell of a tizzy, in fact one in almost any foreseeable condition."

This darker side of human nature and human relations is a stark reality, even though we usually choose to ignore it. The novelist has the right and perhaps the duty to remind us of it. Amis describes these murky and frightening depths of unredeemed human nature ("the old Adam" as another generation would have called it) with the tools he knows how to wield: those of dark satire. Though his gift has lost much of its old comic verve, it is nevertheless groping towards a brooding and suspicious kind of wisdom.

Indeed, the satire in *Stanley* is relatively tame. Amis's own *Ending Up* subjects aging to a satirical treatment more ruthless and jaundiced than the one *Stanley* gives to gender wars. The statements of Amis's characters are rather toothless when measured against Swift's misogyny. And when it comes to pessimism about human motives, Shakespeare can easily beat them all.

The only reasonable critical objection to Amis's latest novel that I can imagine is that the subject itself is too serious and dangerous, and thus the best way to treat it would be in the manner and with the power of a Dostoevsky or Henry James, with profundity and rich nuances and with a grasp of how love and hate continuously relate to each other. There is no quarreling with this argument—I too would like to read a book of this kind. But until somebody writes it, *Stanley and the Women* will do.

Evelyn Waugh, talking once about recent generations of English novelists, said they were not great visionary creators, but conscientious, skilled, and tasteful craftsmen. Of Amis this is an apt description. He seems to have tried his hand at every popular genre: *The Riverside Villa Murders* (1973) was a classic mystery, *The Green Man* (1969) was Gothic fantasy, *The Alteration* (1976) was historical science fiction of dazzling quality. English and American society he often lashed at: the faddish young, the fat and the fatuous, the lusty and the ambitious. So it was not surprising that Amis should also pay some attention to the greater evils and dangers of our time.

It is here that Amis's troubles must really have begun. He has been an outspoken anti-Communist for the last fifteen years or so. According to press reports (in *Newsweek*, for instance) *Stanley and the Women* was rejected by some American publishers because it had been offered in a package with an anti-Communist tale that was unacceptable to them. To this day, that story remains unavailable in America.

Russian Hide-and-Seek, the book in

Virgil Nemoianu is a professor of English and comparative literature at the Catholic University of America.

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question, does however remain in print in England. Its subject is a Britain occupied and ruled by Communist Russians. As the sullen and impoverished populace of a devastated countryside slowly loses its last remnants of national identity, the manors witness a resurgent gentry life, a slightly coarse version of Austen and Turgenev played out by the occupants. In this grotesquely pastoral world (the Russians are like the Normans layered over the Saxons, or the English *sahibs* in India) the inevitable happens: Young parlor liberals begin to rhapsodize about the cultural rights of the lower classes, and a Romeo-and-Juliet affair springs up across ideologies and castes. A little conspiracy is mounted with the purpose of improving native conditions, but the conclusion of the sordid little melodrama is predictable. Vanag, a Soviet official, explains to a prisoner that the conspiracy had been concocted in and controlled from Moscow—a self-executing purge of vague potential dangers to the stability of this colonial society. He also offers a little historical lesson about the occupation: When the prisoner asks, "What did the Americans do?" we are told that "Vanag gave one of his merriest and longest laughs. It died away finally in affectionate chuckles and little snorts of amusement."

Russian Hide-and-Seek is clearly a variation upon a theme set by Orwell—the discovery and the crushing of the opponent by the totalitarian society. (The memory of Orwell haunts Amis as it haunted Burgess when he wrote his *1985*.) In both cases the "opponent" is ultimately the human person in his autonomy, or whatever is not melted totally, without residue, into the uniform and shapeless mass. Young Petrovsky, the tale's hero, is not a thoughtful intellectual like Winston Smith—he is in fact a spoiled and capricious young dandy, vain and philandering—but he is in his very defects utterly human and must therefore be annihilated. Isaiah's "remnant," Amis seems to be saying, can appear in many guises. Orwell's world was gray, abstract, and absolute; Amis's Britain of the future is more livable and more specific—therefore more possible and more frightening: a world of dull poverty and contented oppression, much like the one that we can actually behold in the Gulag empire before us. The imaginary future described by Amis is, if anything, more probable than that of a world devastated by nuclear war, that favorite topic among American publishers.

Meanwhile, whither Amis—what do his latest pieces tell us about him? Amis is a writer devoted above all to his honest craft; he thus had to become a "reactionary." True writers will usually write against the grain; they will somehow "react" against the prevailing state of mind, against the intellectual powers and the progressing trends of their age. In an age in which the progressive and radical powers shape the sensibilities and the imagination of the West, the ephemeral and insignificant writer will pay meek homage to the prevailing (revolutionary) modes of thinking: This is in fact the most exact definition of commercial and consumer literature.

By contrast the authentic writer can be recognized by his independence from or even opposition to leftism. At the beginning of his career Kingsley Amis had depicted the state of English society in broad comical strokes: a world of tiny values, big egos, and missing directions. It was most amusing to observe how, as the years passed, and Amis was gradually sharpening his focus into a political and philosophical awareness, the benevolent smile of the editorial gurus and the intellectual pundits froze and then turned into a spiteful grimace. (The efforts of suppression were soon under way.) Meanwhile Amis is turning into a substantial conservative in the grand British tradition—the common sense and the quirkiness, the self-confidence and the contempt, the nostalgia and the reach toward values are all there. I am sure he will soon be eligible for the Ingersoll Prize. □

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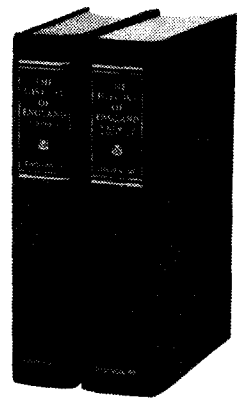

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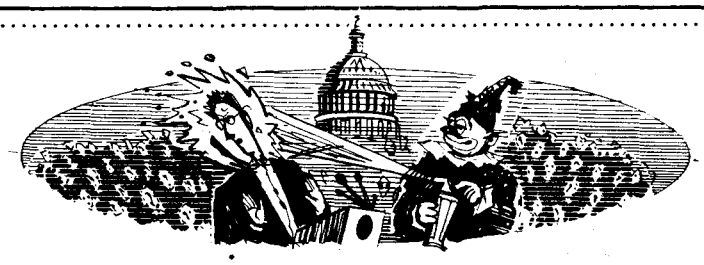
THE WASHINGTON SPECTATOR



There are some in this town of compromise who refuse to forget the First Principles of the Reagan Revolution. In a Chinatown restaurant, not long ago, a small group of young professionals—urban dwelling, upwardly mobile, well-dressed, of a largely secular faith (a journal more given to vulgar shorthand would call them yuppies)—were discussing the bizarre transliteration of Chinese names foisted on a compliant press a few years back. Should they, for example, order Peking duck or Beijing duck? They turned to their waitress. "How do *you* pronounce the capital of China?" she was asked. The woman drew herself up to her full height—about four and a half feet in all—and replied with an air of finality, "Formosa."

• • •

Each year we take special note of Gandhi's birthday, celebrating October 2 in ways the Mahatma himself would find congenial—having our picture taken next to a humble hand loom with a New Testament opened on our lap, for example—but we're new to this town and so do as the natives do. This year we went to Lafayette Park across from the White House, where the Farm Animal Rights Movement marked the old fraud's birthday with a memorial service for the "billions of innocent, sentient animals abused, slaughtered, and dismembered for food." A somber affair, with weather to match: all day the sky threatened rain. Festivities began at noon with a silent vigil. It looked like a bust; when we arrived at 12:30 only three people were milling about, and what's more each of them was talking. By the time we returned at 5, things had picked up. About thirty casually-dressed people had gathered around a small coffin, symbolizing the countless number of our bovine brothers and sisters who have fallen casualty to mankind's quest for the perfect burger; the faithful had carried the coffin down Pennsylvania Avenue in silent procession and placed it on a stage beneath the statue of Andrew Jackson, who looked down, puzzled, from atop his rearing horse. Also puzzled was one of the city's celebrated homeless, who responded to this challenge to his turf by stumbling around the edges of the crowd in his rag-tag pants and hitting up the faithful for small change. He would have had better luck at a DAR meeting; their refusing glances glowed with a fiery commitment to farm animals. The service was called to order at last by a tall woman in a black robe and hood. She had slathered her face with white grease paint, and circled her eyes with black shadowing. Death—for it was she—delivered a series of gruesome statistics in low, dramatic tones, appearing ill-at-ease. She concluded by looking at her shoes for a moment and then back at the congregation: "I have to go now," she said, "to return to my slaughter. But won't you help? It's up to you." Using her wooden reaper as a walking stick, Death stepped off the podium and strode silently toward Pennsylvania Avenue, where she tossed her gown and hood into the back of a blue Toyota and drove away. A series of speakers, more conventionally dressed, followed with diminished impact. (It is tough to follow Death.) The last communicant we saw, before the sky opened up and we ran for the subway, was a pleasant fellow in a pale-blue sport coat of European cut. He identified himself, guitar in hand, as the Whale Campaign Coordinator of the United States Humane Society. In a high voice he sang a song of his own composing, "Rainbow Warrior Spirit," which he said was "part requiem for a crazy act which stunned our soul, and part a thing to make us keep on going toward that direction that the Farm Animal Rights Movement is taking us, hopefully." It was in a minor key.

• • •

Thanks to the good offices of Senator Dan Quayle, President Reagan has chosen Otis R. Bowen, M.D., former governor of Indiana, to treat the manifold ills of the Department of Health and Human Services. It is a comfort to know that at least one country doctor still makes house calls. And particularly when that house is in severe disorder—as the bloated and feverish department is said to be, what with 140,000 employees, a $330 billion budget, and pandemic pandemonium. Faced with Social Security's blurry future, the unsettling side effects of Medicare reform, and the AIDS menace, Doc Bowen will have to summon his full resources of even temper, common sense, and gentle but firm bedside manner—for all of which he is rightly admired. At 67, the family practitioner from Bremen, pop. 3500 (up near South Bend), goes to Washington beladen with the affection and respect Hoosiers seldom heap on anybody but James Whitcomb Riley, Ernie Pyle, and Johnny Wooden. During his six years as speaker of the state House of Representatives and two terms as governor, Doc Bowen led in a way that was steady, forceful, and undemonstrative in style, but generally productive of good results in government action, and, better yet, deliberate inaction. His mildness of manner is lulling and deceptive: he knows how to get power and use it. His signal feat was to persuade the General Assembly to double the sales tax and, at the same time, to reduce and cap property taxes; hence much of what has become of Indiana's schools, public services, and units of government over the last twelve years can be charged to his account. This is a sobering thought. If the good doctor's deep-voiced monotone and stocky, owlish, Spencer Tracyish looks come as a relief from the louder, more resplendent personages of the federal parade, so does his brand of Republican moderate conservatism—non-ideological, undogmatic, unbelligerent, yet strongly and soundly principled. When he is confirmed by the Senate, as assuredly he will be, Dr. Otis R. Bowen should be the best thing to happen at Health and Human Services since America was saved from swine flu.

• • •

President Reagan returned from Geneva the night the Conservative Leadership PAC held its "roast" of Jesse Helms. After the guest of honor had left and the jokes were only a bad memory, the assembled right-wingers drew close to a pair of television monitors to watch the President deliver his report to Congress. Except for some polite hissing when the cameras panned to Secretary of State Shultz, the crowd greeted the speech with equanimity, even relief: Reagan had not, in fact, sold the store. The following Sunday, Miss Mary McGrory wrote a column about the roast. She was none too pleased, although she failed to mention that she figured in the occasion, obliquely, when John Lofton of the *Washington Times* referred to her as a "masculine Richard Cohen." (Lofton's point is well taken. Cohen has the beard, but Mary has the brass. When he pouts, she thunders. As he sulks she snarls. She gets dizzy with excitement where he merely coos with pleasure.) In her column McGrory noted that the right wing had been wary of the summit, what with the talk of all God's chillun watchin' "Sesame Street." This had given her reason for hope. But in the event it was Mary who was disappointed. "Reagan had given them the assurance they needed," she wrote. The line was meant to be a bone-chiller. But I doubt that many of her readers that Sunday morning shared her bitterness. So long as Mary McGrory attends right-wing affairs and leaves disheartened, we should rest easy.

• • •

Finally, as the imbroglio over AIDS research suggests, the federal government has been shockingly remiss in funding research into the problems of sexual pathology. Actually, AIDS might not even be a problem today had heterosexual congress been made more rational and adult many years ago. Let medical researchers now get on with the task. Both male and female genitalia could stand a thorough redesigning, rendering obsolete the absurd male equipage, which is so injury-prone, and the equally absurd female equipage, which may be less fragile but from the point of view of hygiene is very difficult to maintain and which on some women actually constitutes a public health menace. In the place of the present antiquated system let the scientists give us a series of small, state-of-the-art suction cups placed in the groin area and capable of effecting conception when mutually joined. □

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CURRENT WISDOM

Great Books Series

That enduring feminist maenad, Miss Marilyn French, heaves up still more feminist metaphysics, which, were this a just world, would surely make her a candidate for the Nobel Peace Prize:

Men do not attempt to establish control over women because they hate and fear them; rather, men hate and fear women because they *must* control them, because control over women is essential to their self-definition. Forced to demonstrate superiority, they can do so only by cheating, stacking the deck, by imposing on women deprivations which imprison them in a condition seen as inferior by the male culture.

In hubris, bravado, and self-aggrandizement, men have declared themselves superior to other creatures. So they necessarily hate and fear the one creature who could disprove their claim, and attempt to put her in a position of such dependency that she will fear to do so. There are men who acknowledge this, yet cannot change. Their entire *human* identity rests on a manhood that is defined as control. Such men are in the deepest sense deprived, dehumanized: for they cannot find significance within nature, within their bodies and emotions, as part of a human-natural context. For them, significance is located only in that which transcends the natural context and offers something more enduring than life. Deluded by the notion that power offers what endures, they ignore the fact that nothing endures, not even art, except culture itself—the children we make, and the world each generation in turn makes. Searching for meaning in what is superhuman, men have ignored their humanity, the only possible ground for human meaning.

[from Beyond Power, *by Marilyn French, Summit Books, 1985]*

Washington Post

Inconsolable after the demise of the colossal Orson Welles, TV critic Tom Shales relieves himself of one more pronouncement before slumping off his bar stool:

He *was* the 20th-century really. I fear that when he died, he took what was left of it with him. It's over now. But it did have its magnificence.

[October 11, 1985]

Report on Business

Dudgeon and angst from a concerned reader of Canada's answer to *Forbes*:

I would like to congratulate you and your staff on your June issue. My one objection is to the discussion of arms control and Strategic Defence Initiative (SDI) by Conrad Black. What he gave us was a cleverly worded but unabashed pledge of allegiance to the Reagan administration's view of the world.

Black has written a vociferous attack on the USSR. The only first-strike scenario presented was a Soviet one—interesting considering that it is the United States that refuses to declare a "no-first-strike" policy. We are told of the huge Soviet military buildup of the 1970s—no mention is made of the huge American buildups of the 1950s and 1980s; we are told of the enormous tank imbalance in Europe which favors the Warsaw Pact—do tanks *really* matter anymore? But read further—the article states: "Even the Soviet Union—which has never hesitated to brutalize unoffending and helpless neighboring countries. . . ." Black's parallel statement on America: "The United States . . . is not really a very overbearing neighbor." That is an easy thing to say in comfortable Canada, but how about looking south to Central America?

Black even has the gall to trot out the ridiculous assertion that, were it not for the selfless and noble efforts of the United States, the evil and greedy Russians would take over the cowering and helpless four billion other people in the world and subject them to rule from Moscow. Come now!

—Alan McGinty
Montreal

[September 1985]

Wall Street Journal

More questionable recommendations from Mr. Michael Kinsley, the *Journal*'s resident bomb-thrower:

The idea that the vast majority of Americans who are comfortably off ought to contribute a bit of money to prevent our less fortunate fellow citizens from starving in the streets is a good one.

[October 31, 1985]

Public Interest

The eminent Daniel Bell repines for a liberalism that hardly exists and bellows against the bully boys and *National Review*, as though that venerable organ were about to banish the Republic's regnant ideologues from their mandarin redoubts:

The Public Interest began as a journal that was anti-ideological, with the hope that a public philosophy would emerge out of reasoned discourse; it is now enlisted in an ideological campaign against liberalism—though without the sometime scurrilous tone of the *National Review*, which (in its use of such characterizations of liberalism as "the hive") is almost ready to drive liberalism beyond the pale and deny it as a legitimate voice within political discourse.

[Fall 1985]

Washington Post

In response to James Q. Wilson's suggestion that good character of a citizen is not to be sniffed at, Archbishop Joseph Kraft offers some learned observations:

What Wilson does not probe, what most neo-cons refuse to face, is the *cui bono* question. Who creams off the political prizes when issues of character become dominant? Who exploits the work ethic, and family values, and individual responsibility, and school prayer, and abortion?

Experience shows, I think, that when morality acquires salience in politics, the hour has come round for hypocrisy. . . . Despite all the current rhetoric about hard work, the true message of the present administration is Get Rich.

[November 3, 1985]

In These Times

In the pages of a worthy New Age journal, another *reductio ad absurdum* of the Democratic platform:

Two years before entering the peace movement in 1982, I was a confused, desperate 20-year-old bumbling my way through survival in the darkside of Houston, Texas. I was homeless, penniless, subject to exploitation by high-profit-making day labor corporations. The spiritual and moral destruction of poverty worked its way on me, as it did on my colleagues. In a single week, social conditioning had broken down enough to allow me to steal lunch meat from a neighborhood Safeway store.

In jail, I was surrounded by alcoholics, drug addicts, violence—coming from a WASP background, this was heavy stuff. Luck was with me; jail and the vicious cycle of the "criminal justice system" did not take over my life. I got off the streets. This was early education for my present incarceration. I'm presently in jail for Plowshares-style anti-nuclear activism. But in between serving time, I helped feed, clothe and shelter people on the bottom—with or without homes.

[October 23-29, 1985]

The Progressive

More senescent complaints from Professor Doktor Noam Chomsky, friend of the now-defunct Viet Cong and the now-triumphant North Vietnamese:

For the past twenty-two years, I have been searching for some reference in mainstream journalism or scholarship to an American invasion of South Vietnam in 1962 (or ever), or an American attack against South Vietnam, or American aggression in Indochina—without success. There is no such event in history. Rather, there is an American *defense* of South Vietnam against terrorists supported from outside (namely, from Vietnam). . . .

[October 1985]

New York Times

Sports writer George Vecsey recounts a Pauline conversion during a far-away game of touch football, and one wonders whether Mr. Vecsey would be so loaded with admiration if that surreptitious elbow had come from the male of the species:

I don't remember her name but I do remember her elbow. Caught me right about where my lungs and my heart try to function, and sent me tumbling down the Appalachian hillside like some left-over slag from a strip mine.

She was a student at a local community college, and I had enjoyed talking with her during dinner, but nothing she had said about life in a coal camp had impressed me as much as the eloquence of her elbow, wielded on a suicide-squad kickoff return.

That moment of truth made a feminist out of me. I became a walking advocate of the Bill of Rights, convinced that all men and all women were created equal, at least in their right to knock somebody off his feet in a touch football game.

[November 17, 1985]

America

My Life, as lived by Mr. Richard A. Blake through fourteen years of obvious imbecility:

In 1971, when I first came to *America*, I was as oldline a liberal as one could be. Graduate school began with *Humanae Vitae* and ended with Kent State. Many a placard and red arm band fell in between. It was a time of enthusiasm and revolt against many forms of authority. It was, after all, the age of Aquarius.

Putting ideas down on a printed page week after week, however, is quite different from fashioning a new republic of justice during a university cafeteria "rap session." Dismantling the Constitution to pave the way for freedom seemed a good idea in that ivy-covered season, but a few years later it was the Constitution that rescued the country from Watergate. Law and order, a phrase that seemed a prelude to fascism during the darkest days of Vietnam protest, gradually became a reassuring guarantee of freedom on the lips of the late Senator Sam Ervin. Thinking through the events of those days week after week had to bring a dramatic shift in one's ideas of freedom and democracy.

[June 29, 1985]

Washington Post

Lloyd Grove, belletrist, writes of Rosario Murillo, revolutionary wife of President Daniel Ortega, the Sandinista jailer:

The first lady of the Republic of Nicaragua likes to walk aimlessly in the marketplace, talk with her mouth full, forget what time it is and be half crazy. She also likes the president of Nicaragua—particularly his hair, his eyes and his "hands, always occupied with many large and important matters." Every so often she has an urge "to invent a perfectly incredible story" to make everyone laugh, even when she herself feels like crying "like a sad, frightened rabbit."

[October 25, 1985]

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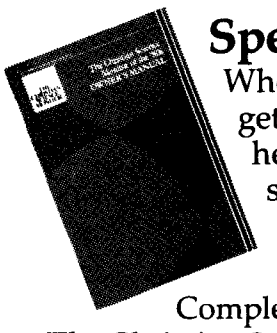

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Pogo Books, by Walt Kelly. G.R. Calhoun, 2606 Terrace, Midland, TX 79705.

Tales For A Rainy Night, ed. by David Alexander (1969). **Tales Of Unease**, ed. by John Burke (1961). Rinehart Potts, 1223 Glen Terrace, Glassboro, NJ 08028.

The Universities of Europe in the Middle Ages, by Hastings Rashdall (3 Volumes, hbk. 1936 ed., Oxford University Press). Frank Egan, Trinity College, Hartford, CT 06106.

Collected Poems, by Siegfried Sassoon (original ed.). Peter Cachion, The Public Interest, 10 E. 53 St., New York, NY 10022.

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Sir Henry Channon Chips: The Diaries of Sir Henry Channon, ed. by Robert Rhodes James (London: Weidenfeld & Nicolson, 1967). **Charles Child Walcott**, by John O'Hara (University of Minnesota Press, 1919). Richard Carreno, Fabyan, CT 06245.

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The Integrating Mind & Christ and Prometheus, by William F. Lynch. F.A. Murphy, 48 Argyll Rd., London, W.8, Great Britain.

Flashman at the Charge, by George MacDonald Fraser. L.J. Leinaweaver, 12036 Greywing Sq. B-4, Reston, VA 22091.

CORRESPONDENCE

(continued from page 6)

But why was the airplane so far off course? Murray Sayle has provided one plausible explanation. More generally, anyone who says he believes that such a thing occurring accidentally is a practical impossibility is either highly naive or highly mendacious. Anyone who has flown a plane will tell you that as in any other endeavor, mistakes by pilots occur regularly and frequently and that given the right combination of circumstances a relatively trivial one can be fatal. That's the main reason airplanes occasionally crash, even when flown by highly trained and competent professionals. In an aviation physiological training class for pilots I attended once, the instructor asked how many people in the class had ever been on a flight during which at some point all the crew were asleep—literally taking a snooze. One man rather sheepishly raised his hand. The instructor said that more often than not someone in the class admitted the same thing. A modern airplane will virtually fly itself if it is properly programmed and nothing goes wrong. The Chinese pilots who almost allowed their 747 to fall into the sea off the U.S. west coast earlier this year were almost certainly asleep at the wheel (figuratively at least) when an engine failed with near-disastrous consequences. I don't suggest that the pilots of KAL 007 were actually sleeping, but inattention can produce the same effect. Any experienced flyer knows that inadvertent course deviations not only can but do occur fairly frequently. But they don't usually result in disaster, so we don't hear of them.

It is a national disgrace that the lies of Soviet propagandists can so easily play in our own press as to make us the culprits in an egregious Soviet crime against us. . . . But we can take comfort in this: The Russians needed over two hours and more than one attempt to down an unarmed airplane, a very large target flying straight and level with its lights on and, almost certainly, emitting an internationally recognized electronic code which continually displayed its exact position to any radar receiver close enough to interrogate it. What does that say about the enemy air force's tactical capability? Their propaganda machine is just as clumsy, but alas, far more effective.

—Oscar H. McNew
Major, U.S. Air Force
Merced, California

In his otherwise excellent article on the KAL 007 Massacre, James E. Oberg failed to deal with one important question: Why are attorneys for relatives of the massacre victims repeating pro-Soviet conspiracy accusations against the U.S. government at a lawsuit in New York City? Surely those bereaved by the disaster would not help the Soviets without good reason. . . .

The problem is caused by the Warsaw Convention, which sets an absurdly low limit (I believe less than $100,000 per person) for wrongful death verdicts in overseas airline crashes. That is the maximum that bereaved families can collect from Korean Air Lines for their obvious negligence, even though Americans on domestic flights would expect easily ten times that.

So where else can a lawyer find a fat verdict with a large legal fee? The next logical culprit would be the Soviet government, but it has made clear that it will pay nothing. No money there. . . . That leaves the U.S. Treasury. The only way to collect from the U.S. government, however, is to convince a jury to find U.S. negligence in a pro-Soviet conspiracy scenario.

But won't a sensible jury reject these flimsy accusations? Not necessarily. They may well accept a conspiracy theory against their better judgment as the only way to help the victims's families. This of course would be a huge windfall for Soviet propaganda.

Why are the families themselves willing to collaborate indirectly with the murderers of their loved ones? It would seem heartless to present the issue to them in such stark terms. Like everyone else, they are confused by the barrage of disinformation about KAL 007. And there is a lot of money involved . . .

It may be too late to prevent the damage from a pro-Soviet verdict in the KAL 007 trial, though U.S. officials should seek an out-of-court settlement. There are two ways to handle such problems in the future, however. First, (the broad approach), repudiate the Warsaw Convention for flights entering or leaving the USA. All airlines serving the U.S. should carry adequate wrongful-death liability insurance. Presumably this would be paid for by higher ticket prices to and from the U.S.

Second. (the narrow approach), give the Secretary of State case-by-case discretion to accept U.S. liability for the misconduct of foreign governments. Under this system, KAL 007 relatives could prove their case against the Soviet government and collect any verdict from the U.S. Treasury. If the U.S. government wanted to, it could later seek reimbursement from the Soviet government.

By paying a little extra money up front to those who need it, the U.S. government could leave Soviet propagandists hopelessly isolated.

—Hugo S. Cunningham
Omaha, Nebraska

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